



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

### Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

### About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



3 2044 011 393 410

P274.3



Harvard College Library

FROM

.....  
.....  
.....





P274.3

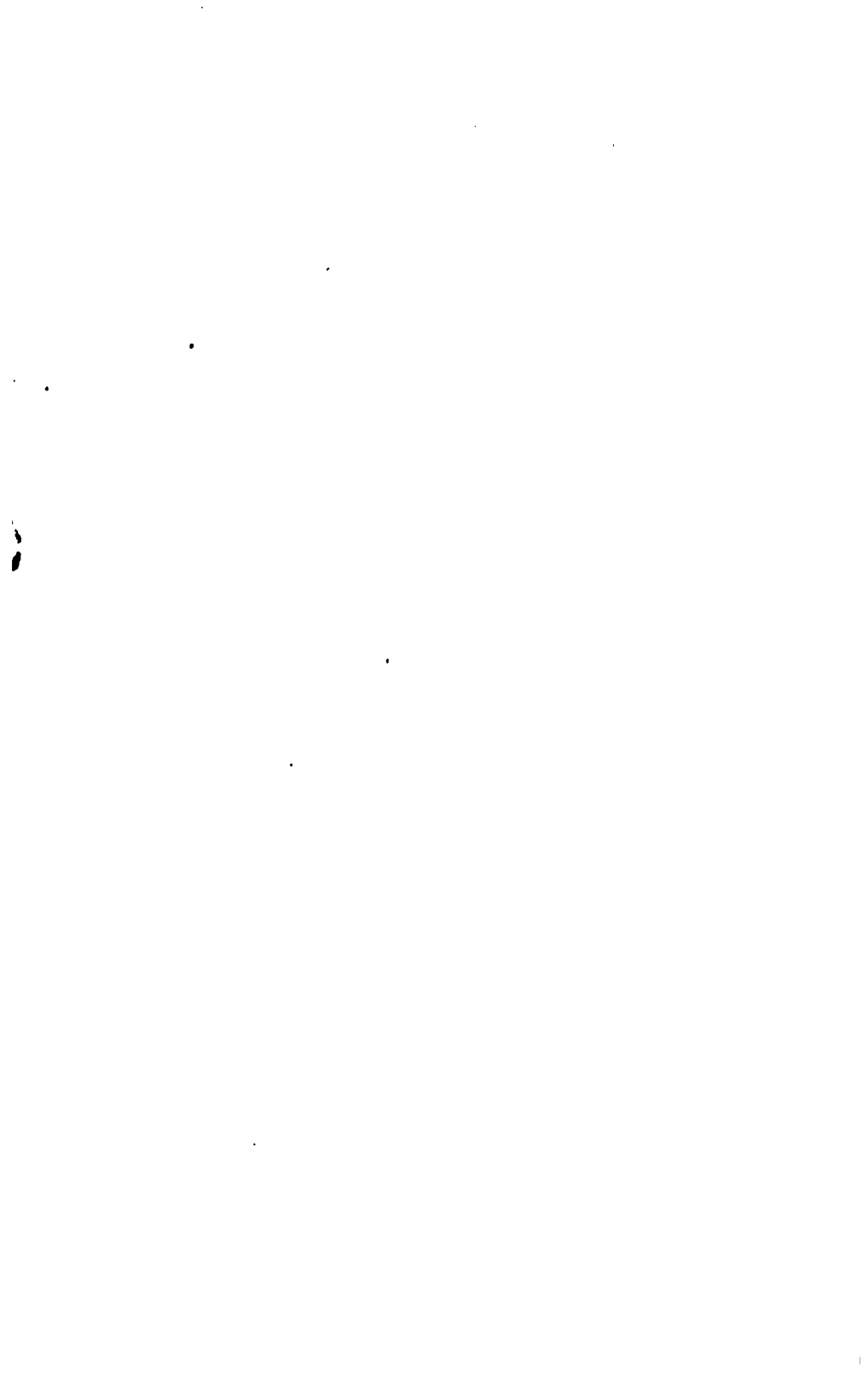


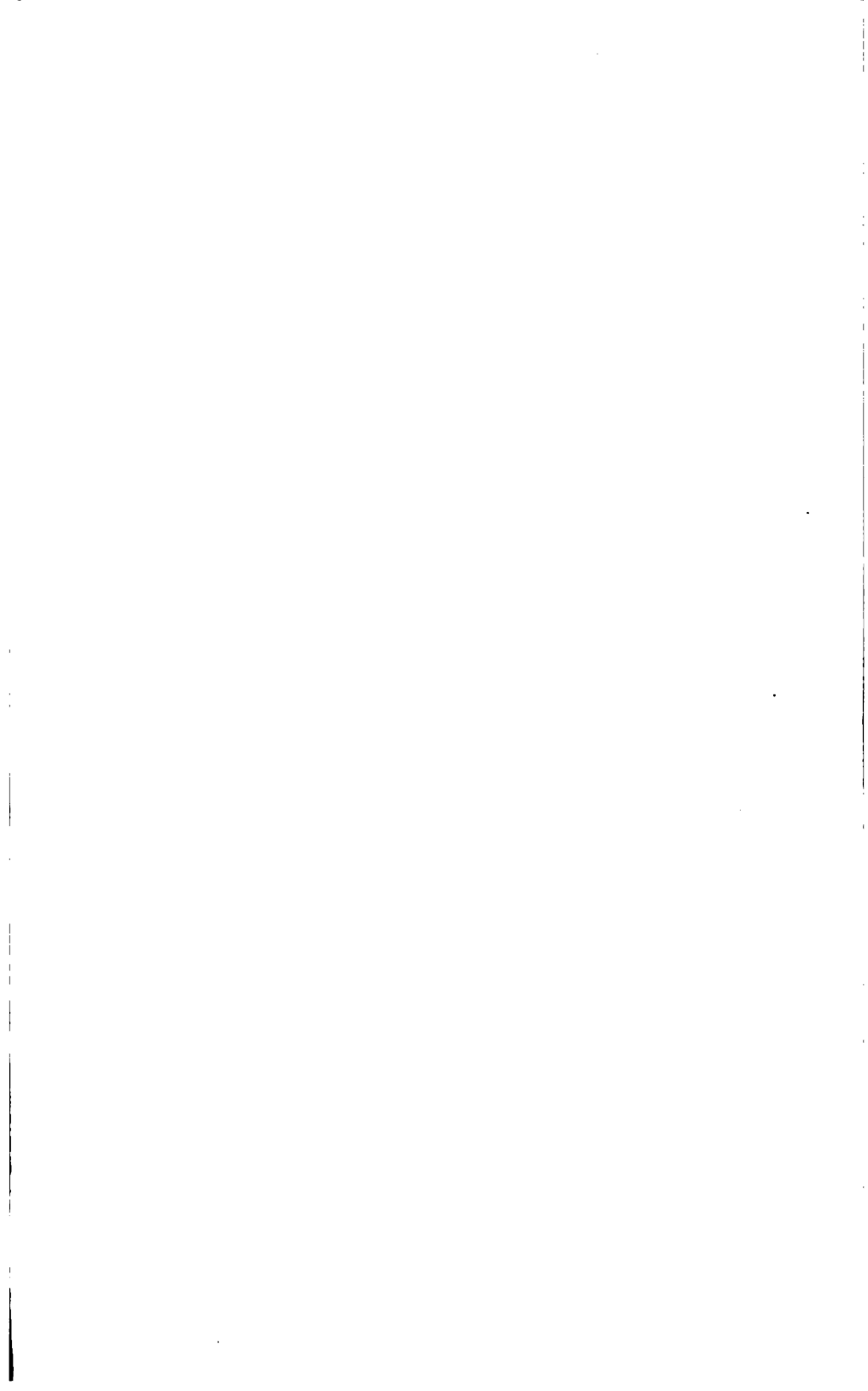
**Harvard College Library**

**FROM**

.....  
.....  
.....









THE  
MASSACHUSETTS QUARTERLY  
REVIEW.

---

VOL. III.

---

BOSTON:  
PUBLISHED BY COOLIDGE & WILEY,  
No. 12 WATER STREET,  
1850.



T<sub>274.3</sub>

# CONTENTS.

## IX.

<i>James C. Linn</i> ART. I.	SENATORIAL SPEECHES ON SLAVERY, - - -	1
<i>James R. Lowell</i> II.	A WEEK ON THE CONCORD AND MERRIMACK RIVERS, - - - - -	40
<i>Henry James</i> III.	THE DIVINE MAN, - - - - -	52
<i>R. C. Kilmer</i> IV.	SUNDAY CONTRACTS, - - - - -	67
<i>Frederic Howard</i> V.	MR. COLMAN ON ENGLISH AGRICULTURE, -	77
<i>Art. 12 (Linn)</i> VI.	THE FINANCIAL CONDITION OF RUSSIA, -	98
<i>Art. 12 (Linn)</i> VII.	THE MASSACHUSETTS INDIANS, - - - -	105
<i>Art. 12 (Linn)</i> VIII.	MR. POLK'S ADMINISTRATION, - - - -	118 -
IX.	SHORT REVIEWS AND NOTICES, - - - -	158

## X.

<i>Whitson</i> ART. I.	JUDICIAL OATHS, - - - - -	161
<i>Whitson</i> II.	SPECIMENS OF GERMAN LYRICS, - - - -	183
<i>Whitson</i> III.	TWO NEW TRINITIES, - - - - -	191
<i>Whitson</i> IV.	THE WRITINGS OF R. W. EMERSON, - - -	200 -
<i>Whitson</i> V.	PANSLAVISM, - - - - -	255
<i>Whitson</i> VI.	THE POSTAL SYSTEM, - - - - -	262
VII.	SHORT REVIEWS AND NOTICES, - - - -	278

## XI.

<i>Whitson</i> ART. I.	THE POLISH SLAVONIAN PHILOSOPHY, - -	285
<i>Whitson</i> II.	CAUSES OF THE PRESENT CONDITION OF IRELAND, - - - - -	304
<i>Whitson</i> III.	THE INDUSTRIAL ARTS IN RUSSIA, - - -	337
<i>Whitson</i> IV.	BROWNING'S POEMS, - - - - -	347
<i>Whitson</i> V.	HILDRETH'S HISTORY OF THE UNITED STATES,	386 -
VI.	SHORT REVIEWS AND NOTICES, - - - -	425

## XII.

<i>Whitson</i> ART. I.	THE RIGHT OF PETITION, - - - - -	431
<i>Whitson</i> II.	GEOLOGY OF THE EXPLORING EXPEDITION, -	459
<i>Whitson</i> III.	HAWTHORNE'S SCARLET LETTER, - - - -	484
<i>Whitson</i> IV.	AMERICAN AND ALPINE BOTANY COMPARED,	500
<i>Whitson</i> V.	DIFFERENT CHRISTOLOGIES OF THE NEW TESTAMENT, - - - - -	512 -
VI.	SHORT REVIEWS AND NOTICES, - - - -	524



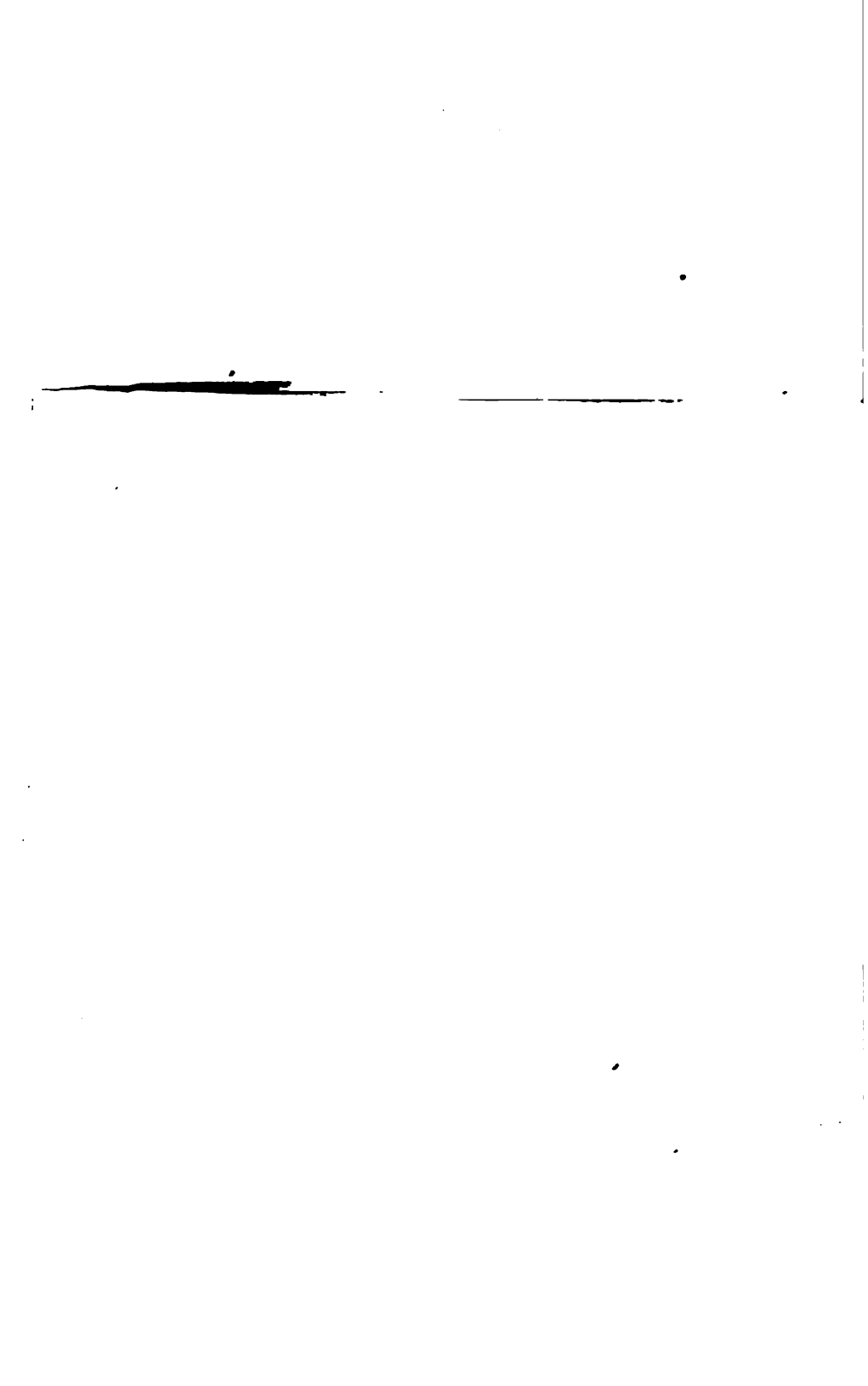
# MASSACHUSETTS QUARTERLY REVIEW.

NO. IX.—DECEMBER, 1849.

---

- ART. I. JAMES G. BIRNEY.
- II. JAMES R. LOWELL.
- III. HENRY JAMES.
- IV. RICHARD HILDRETH.
- V. FREDERIC HOWES.
- VI. MAJOR PELT, (Leipsic.)
- VII. WENDELL PHILLIPS.
- VIII. THEODORE PARKER.

ment, however weak, in favor of slavery, would be sufficient to strengthen it and raise a laugh against the abolitionists: These times are nearly, if not entirely, passed by, and the nation is now engaged in a more serious investigation. But our main design in citing these speeches,—for we have other matters behind that appear to us more important,—is to let our readers know how this question, now that it has broken in on the Senate, in spite of all their management to keep it out, is entertained by a body pronounced by its own members to be the most dignified deliberative one in the world; and on what trashy notions and imperfect statements our legislators



# MASSACHUSETTS QUARTERLY REVIEW.

NO. IX.—DECEMBER, 1849.

---

ART. I.—1. *Speech of Mr. Hunter, of Virginia, on the Oregon Territory Bill, in Senate, July 11, 1848.*

2. *Speech of Mr. Underwood, of Kentucky, on the proposed Compromise Bill, in Senate, July 25, 1848.*

3. *Speech of Mr. Berrien, of Georgia, on the proposed Compromise Bill, in Senate, July 26, 1848.*

4. *Speech of Mr. John M. Clayton, of Delaware, in defence of the bill to organize Governments in Oregon, California, and New Mexico, in Senate, August 3, 1848.*

WE put the foregoing speeches at the head of this article, not because they contain the best arguments in favor of Slavery, for we have seen more ingenious ones, and more delusive; nor that we propose to subject them to any very extended examination, for where these arguments are of seeming worth, they have been examined long ago, and refuted. Yet we may occasionally sift some of their statements, to see whether they be true or not; for it is not now, as it was a long time ago, that any statement, however unfounded, any argument, however weak, in favor of Slavery, would be sufficient to strengthen it and raise a laugh against the abolitionists: These times are nearly, if not entirely, passed by, and the nation is now engaged in a more serious investigation. But our main design in citing these speeches,—for we have other matters behind that appear to us more important,—is to let our readers know how this question, now that it has broken in on the Senate, in spite of all their management to keep it out, is entertained by a body pronounced by its own members to be the most dignified deliberative one in the world; and on what trashy notions and imperfect statements our legislators



are content to decide the great question of the age. As they will probably, and we think almost certainly, not decide it dispassionately, they will as certainly not decide it as wisely as it can be decided; for whilst we have full confidence in the opinion that no sound argument proceeding from sound premises can ever lead to a result manifestly unjust, we well know that a practised and self-possessed speaker — one who is striving to gain a present advantage, right or wrong, on some particular question — may so adroitly, yet untruly, present his premises, that an argument fairly built on them may conduct us to a mischievous conclusion. We do not intend to charge our more experienced Senators with trying this scheme on the younger ones, nor, indeed, do we know that it was at all called for; but in such cases it is only necessary, — and we are not going to deny that it often demands good talents and great vigilance, — to detect the overspread and concealed flaw, in order to show that the argument has no proper application to the subject.

One thing must have struck all, who, like ourselves, have waded through nearly the whole, if not the whole, of the slaveholding Senatorial speeches on Slavery — their *utter heartlessness*.\* They seem never to think that the negro slave is any thing but dead, insensible material, to be moulded according to their fancy. It does not appear once to have entered their minds that he is their brother, and that in attempting to injure him they are sure to injure themselves; that he is a member of God's family here on earth, and that he requires a training to act well his part for the world that now is, as well as preparation for that which is to come; that he has any claims to the blessings of freedom, or desire for them; or that there is any duty on the part of those who restrain him from his

---

\* We wish we could say this temper was confined to the slaveholders. In the proceedings of the Senate, January 10, 1849, as reported in the National Intelligencer, Mr. Douglass of Illinois is represented as having made some remarks beyond what we have, of late years, seen as coming from a Senator from the Free states. In speaking of Slavery he says: "Bring these territories (California and New Mexico) into this Union as states, upon an equal footing with the Northern States. Let the people of such states settle the question of Slavery within their limits, as they would settle the question of banking, or any other domestic institution, according to their own will. Whatever that settlement may be, I shall be content with it." Mr. Douglass boasts, too, at this time of day, that he has "voted to keep abolition petitions out of these halls." As he pronounces it a "libel" to say that Northern Senators have not always maintained their rights, we commend to his perusal the law for the distribution of the surplus revenue, and the one for the armed occupation of Florida, as it is called.

liberty, to restrain him no more — or that to him the truths of the Declaration of Independence, pronounced to be “self-evident,” have any application. These notions seem to be entertained, too, after all the slaveholder has said about the love and esteem and affection, that often spring up between the master and the slave. This sentiment is to be found in Senator Underwood’s speech, tainting it from beginning to end, and if we mistake not, it is equally discernible in all the others, whenever there is occasion for speaking on this subject.

In Mr. Underwood, we acknowledge we have been mistaken. A long acquaintance with him, begun in early life too, led us to expect other and very different things from him. We had trusted that Slavery, bad as we know it to be, corrupting as it often, perhaps inevitably, is, to the noblest natures, had not gone very far in its destructive work on his. If the opinion that we have now formed is a wrong one, we wish it may be so proved, for we had hoped that the firmness and moderation and conscientiousness of Mr. Underwood would greatly contribute to soften and modify, if they could not entirely remove, the evils that unguarded and passionate men connect with emancipation — an event that now seems unavoidable, and that before very long. But when we hear him saying, “I feel no more responsibility for the existence of the institution” — an institution in which he is an agent, and for the support of which he is doing all that he can do — “than I do for the time and place of my birth,” we are free to acknowledge, that our fears, so far as he is concerned, are greatly aroused, our hopes much weakened. Entertaining this opinion, it is no wonder that the constancy of the abolitionists should seem to him as the most consummate obstinacy, and that it should draw from his impatience these remarks :

“I am disgusted, I am incensed at the conduct of those who are perpetually goading us on the subject of African Slavery, and I beg leave on this occasion to expose their errors and suggest what they may do to benefit both the black and white races, if their benevolence were guided by intelligence and true love for their species. They do not understand the subject on which they write and speak so much. Certain it is, their opportunities to understand and comprehend it are not equal to those possessed by us, who live in the midst of slaves, and from necessity have daily intercourse with them.”

To one who thinks that slave-holding is an affair of very small concern, if of any concern at all, these are quite natural sen-

timents—exactly such as it might be expected he would utter. But if to reduce our fellow-man to slavery—to American slavery; to divest him of every right which his Creator has given him, and which we acknowledge to be “self-evident”; if to disqualify him for acting his part in this world by reducing him to an article of sale, and throwing impediments in the way of preparing for the life to come: if all these are to be regarded as of trifling consequence, if they give no *character* to the system whence they flow, then are the precious and the vile equally objects of indifference. But if to do these things be as wicked and unjust as it has been supposed to be, then does Mr. Underwood furnish, in his own case, irrefragable proof of the hardening influences of Slavery, and of the pressing necessity of at once putting an end to it. For an American Senator, to whom is entrusted the interpretation of a Constitution intended to advance liberty and establish justice, and not to advance and establish slavery, their most direct antagonist, this is too much. Why, an East India Thug, whose education is to murder his fellow-creature and rifle his dead body, might reason as logically as Mr. Underwood does, for well might he say—

“I am disgusted, I am incensed at the conduct of those who are making such an ado about the murders and robberies of our people. Let them give vent to their benevolence in some other way than in meddling in our pursuit. With this they would have nothing to do, if their benevolence were guided by intelligence and true love to their species. That they fully understand Thug-murder and robbery, about which they write and talk so much, no one can suppose. We are only pursuing the calling to which we have been brought up—the same that our fathers followed before us. At all events, if there be any guilt from its continuance, that belongs also to us, say nothing of those whom Providence casts in our way, to be killed and robbed!”

But is Mr. Underwood serious when—according to the old saw, always at hand with shallow and unreflective men—he charges the abolitionists with not understanding the subject of Slavery? He seems to think, indeed, that to arrive at full knowledge—necessary knowledge—one must be a slaveholder himself, and live in the midst of slaves. But does the Senator really think so? As well might he contend that a man must be a practiser of every sin forbidden in the decalogue, of every vice with which society is afflicted, before he can have knowledge enough to take the first step towards

removing any of them. And as, according to the Senator's notion, the knowledge acquired by a year or two's addiction to any particular vice must be small, when compared with what is gained by consecrating a whole lifetime to it, by being immersed in it—he who is oldest in any vice, other things being equal, is the best qualified for its removal. It is difficult to treat such an argument, if argument it may be called, in a serious manner. A smaller one was never before found in the mouth of an American Senator, or addressed to an American Senate: and on such a question! Surely, to break such a fly upon a wheel would be disproportionate labor. Mr. Underwood is yet to learn what, no doubt, appears incredible to him now, that he knows little of Slavery in its moral aspect, compared with what he will know of it, if ever he becomes repentant for holding his fellow-creature—his brother—in bondage, and, from a sense of duty, sets him free. Maltreatment of the slaves, scenes of cruelty, in which they are the sufferers, have but little abiding influence on the slaveholder. We are ready to admit that he may think they are cruel, unfeeling, sanguinary, and that he would not be an actor in them, but the impression, most generally, is shallow and evanescent. It is only when he ceases to be a slaveholder, an oppressor, that these scenes, in frequency and magnitude, rise up before him; that the truth shines with painful lustre on his memory, and that he wonders with shame and confusion, that the suffering, the torment, the agony of his brother, produced such a slight and transient effect on his mind.

But is there any truth in the statement which Senator Underwood has hazarded, that the abolitionists of the North do not understand the subject of Slavery? If they do not, they are dull scholars, and much to be blamed for their unapprehensiveness, for Southern slavery has always, unless of late, been open and conspicuous. The slaveholder has been more frequently estimated by the number of hogsheads of sugar, or bales of cotton, or bushels of wheat that he could bring into market, than by any other standard; for these showed, to all practical purposes, how many of his fellow-creatures he held in slavery. We may profess to know much about ancient slavery—Jewish, Grecian, Roman; also about modern slavery—Russian, Mahomedan, African, British, French, so long as the two last existed; and about the *modus operandi* of these we may talk with a good degree of confidence, almost with certainty. But when we come to American Slavery, some

slaveholding prophet cries out, Away ye profane ! a more than masonic mystery lies there, which none but a slaveholder can unfold ! Now there have been in the ranks of the abolitionists those who have once been slaveholders ; those whose age is not below Mr. Underwood's, and whose opportunities of well knowing all the secrets, if there be any, of the "peculiar system," have at least been equal, and perhaps a little superior, to his. They, in order to defend themselves and justify their course, told the most horrible things of Slavery, as it was natural they should ; that it abounded in enormities and cruelties, and that, in fine, it was the complication, the consummation, the end, the "sum of all villainies" ; that whilst there was no mystery about it — whilst it was open to the examination of every one, — yet the passions of men would, every now and then, vent themselves on their victims in some new and unheard of manner ; that whilst the degeneracy, the still further degradation of the slave, occasioned confusion, bred distraction, caused the deepest unhappiness in families, it rarely failed in its work of deadening the moral feelings, infecting the character and destroying the self-respect, either of the master, or of some important member of the family ; for thus is seduction of others into vice, in the long run, repaid !

Now, according to our judgment, one of the best opportunities we have ever known was here presented to correct errors and give information, which the whole people, especially those of the North, needed. It would be relieved, too, from the objection that it would be attended with no practical results ; because it is supposed, and feared, by the slaveholders, that Congress intend to decide the question of Slavery on their present imperfect information. No place could be more suitable than the Senate of the United States, where error is most certainly yet tenderly exposed, and an account of whose daily proceedings is sent into every part of the land. No person could be more properly selected to publish a revelation of importance enough to reverse the wheels of the government, than a wise, experienced, and impartial Senator. Yet, notwithstanding all these advantages, the disclosure is not made by Mr. Underwood or by any other Senator, on this subject. But Mr. Underwood contents himself with petulantly saying, as had been petulantly said hundreds of times before, that the abolitionists did not understand the subject of Slavery. Even now, before this question is fully determined by Congress, — especially if we are to judge from the acquiescent and tame spirit

with which the expulsion of Mr. Hoar and Mr. Hubbard from South Carolina and Louisiana was received by the state which despatched them on their equally constitutional and humane errand,— we hazard nothing in saying, that, even at this late hour, any important disclosure will not be disregarded, but have its proper influence. But let it be precise, and apply to points on which slavery turns, and not on its mere *circumstances*. Let us not be told, that we are mistaken as to the *amount*, the slave, the laboring man, of the South receives for his work. It will be no answer, to say, that the master gives good clothes and good food to his “house servants,” and, now and then, throws to a favorite field-hand a bundle of old duds that a Jewish clothes-broker of London or Paris would almost disdain to pick up and add to his store:— rather let us be told, that we are mistaken in having supposed, that they who cultivate the fields and “wait” on the owners of them, have no unrestricted legal resort to recover their wages, when withheld from them. Let us not be told that we are mistaken as to the *number* of slaves, in any particular district, that can read; or that they prefer continuous labor to the improvement of the facilities that God has given them:— rather let us be told that they can go to school and improve their faculties as they list. Let us not be told, that we have been misinformed as to the *manner* of feeding the slaves at the South— that they are not fed like pigs, in troughs, and guzzle down whatever is thrown in to them: but rather let us be told, that they are fed at tables, like decent people, and on sufficient and wholesome food.\* Let us not be told, we are mistaken as to the *number of families* that are separated and broken up by sale, rather let us hear that no man can sell a fellow-being, or forcibly separate a family. Let us not be told that we are mistaken as to the *number of Bibles* distributed among the slaves, and as to the *amount* of the hindrance or prohibition of their reading them, or having them explained by persons of their own choice:— rather say, they are encouraged, and have every opportunity to prepare for eternal life.

These things, and others of a similar character— bad enough,

---

\* Some of the Slave states are farming, or slave-selling; others, planting, or slave-consuming. Whenever provisions or the materials for clothes are grown at home, as is most generally the case in the former, the slaves are, comparatively, pretty well fed and clothed. But when they are bought, as they are in general in the *planting* states, the slaves, for the most part, are poorly fed and scantily clothed.



to be sure — are but the circumstances, the aggravation, of the system, but they are not the system. They are the bitter waters of the fountain, and they may be made more or less bitter, according to the temper of the slaveholder, after they have issued from it; but they are not the fountain. On these circumstances we have never made the question of Slavery to turn, but on the unlimited power which one man, subject to human passions, with these passions nourished and strengthened by such power, especially with his thirst for gain to prompt him to oppression and wrong, has over the body, and the mental and spiritual improvement of his brother. The exact number of stripes which the Senator, or his proxy, the overseer, inflicts on his slaves; the character of the food he gives them, whether meat and savory viands, or some cheap refuse, rendered palatable to a long trained appetite by the hopelessness of getting any thing better — these things may not be accurately known, even to his nearest neighbours. How naturally, then, may distant persons be expected to make mistakes about them! Besides, as Slavery with us covers such a vast extent of country, and as its productions are so various, what, with perfect truth and propriety, may apply to one part, is taken up and denied by another, as untrue when applied to the *system* throughout the land.

But we would do Mr. Underwood no injustice. Being a slaveholder “and to the manner born,” he has from his youth gradually and unconsciously succeeded in quelling the finer feelings of his nature toward his fellow-man; particularly to the most helpless part of them, the slaves. He, no doubt, views the slaves as, in some measure, made for their present condition; thinks they ought to behave well, be reconciled to their enslavement, and in *his* sense, be treated well. We think it altogether likely, that when there is an outbreak among them to regain their liberty, — most generally an injudicious one, from their ignorance and incapacity for combination, — he looks on the acts perpetrated by the whites to restrain them as cruel, bloody, merciless. No doubt they are, for the majority of men rather act from what they feel they deserve at the hands of the slaves, from the horrors that an awakened conscience presents, than from a sober contemplation of the undisciplined, scattered, and unarmed force with which they have to contend. But we take Mr. Underwood not to be of this sort. With him, fear and conscience do not keep nature from asserting her claims. In his heart, if not in his mouth, he will palliate,

in some measure, the unwise struggle of the slaves for their rights, — rights to which, as human beings, he knows they are entitled ; rights which we acknowledge are “self-evident,” — whilst, doubtless, he is shocked at the sanguinary deeds, thought necessary to keep them as slaves. But extraordinary instances aside, he is “disgusted and incensed” that the people of the Free states have not succeeded, as well as he has, in dulling and putting asleep their good feelings for the slaves. But Mr. Underwood must know, that, in the evil day when slavery was temporarily allowed to the South, — and we fully believe that this allowance was only temporary, — that there were persons in the Free states who could feel for the slaves ; who could view them as their brethren — their wronged and suffering brethren ; whose opposition to Slavery would grow with their growth and strengthen with their strength, and to whom laws and constitutions, no matter how solemnly enacted, requiring them to behave meanly and inhumanly, would be as bands of burnt flax to the strong man. Let him know, that these persons, when they see the South faithless to its promises — attempting to convert these temporary provisions into permanent ones ; when they see that the government of the Union is controlled by slaveholders who seek to use that very government for advancing and establishing slavery rather than liberty, and openly to extend the curse of slavery to climes that may be said never to have known it, — let him learn, we say, that these persons look with abhorrence and detestation on laws and constitutions so perverted ; and that these laws and constitutions never can be steadily enforced, unless it be by a tyranny too rigid, a despotism too unlimited, to be quietly borne by us here.\*

Now, after Senator Underwood has sung this “*Io Trium-  
phe,*” and, with becoming modesty, has told the abolitionists of the North that they do not understand the subject of Slavery, about which they write and speak so much, — and all this, too, without the slightest attempt, on his part, to enlighten them, — it turns out, a good deal to our surprise, we acknowl-

---

\* The surprising want of accurate knowledge, possessed even by slaveholding Senators, in regard to legislation by the Free states inflicting penalties on their own officers for aiding in retaking fugitive slaves, — a business confined by the Constitution of the United States, as interpreted by a judicial decision, to officers of the United States, — was fully shown in the debate in the Senate, Jan. 22nd, 1849, on the presentation of the resolutions by the Legislature of New York.

edge, that he avows himself "no advocate for the institution of Slavery." Not he; and why is he not as credible in this matter, — "for he is an honorable man," though he hold his fellow-being in slavery, — as was our late President, who is represented as a "*peace man*," though he invaded Mexico, and tried his best to subdue it by arms; or as the duellist, who says he is opposed to fighting, and who fights, not for the love of it, because there is too much risk of life in fighting, but only when he thinks it necessary? We see, then, no reason, judging by this standard, — a standard which, in spite of all acts to the contrary, takes the culprit's testimony in his own behalf to acquit him, — why we should not set down Senator Underwood as no advocate of Slavery. But it is on the condition of colonization. His plan is a short one; it has, at least, that good quality, if no other, and therefore we will give it: —

"Let a future day be fixed," says he, "after which every slave child born shall be the property of the State; [for instance, Kentucky;] place the children, when weaned, in the hands of those who will raise them — females till they are eighteen years of age, and males till they are twenty-four or twenty-five, and upon their reaching these ages, send them to Africa. These, in a few words, are the whole scheme."

This project of emancipation was broached by Mr. Underwood, perhaps, fifteen or sixteen years ago, in an address delivered by him to the Kentucky Colonization Society. We believe it has found but few to favor it. But we have no more doubt of its proving effectual, if it can be carried out, than we have that the most destructive fire can be extinguished by pouring enough water on it. But the difficulty is, always has been, always will be, how the water shall be obtained, conveyed, and applied to it. The Senator's scheme has one defect, which all others of similar character have, and which gives it but few supporters: it is intended to put an end to Slavery. A plan to remove free colored persons to a distant land, to build up with them there a great empire, has about it a good deal of the romantic to attract men. But when you propose to take the slaves, at the most valuable period of their lives, out of the hands of their masters, on whose plantations they may have been born, with a view of removing them to Africa, the country to which they are going all at once becomes sickly; the colony is already over-crowded;

the scheme loses its romance, ceases to be pleasing to slaveholders, and finds few supporters among them. The plan of Mr. Underwood will hardly be revived, except now and then by himself, and for the reason we mentioned. Whenever the slaveholders make up their minds to abolish slavery,—and we see not how they can be brought to this point but by the action of the government,—they will adopt a much more simple plan than Senator Underwood's. Admitting them to be brought to it, however, we have no doubt that they would choose *immediate, unconditional, and universal* emancipation as the wisest, safest, and happiest plan that could be adopted. But till then, any proposition—we care not whether it is immediate and universal, or partial and prospective—that seems efficient to that end, will meet with their opposition or neglect. In these remarks we say nothing as to the policy or humanity of sending the colored man, the laboring man of the South, out of the country in which he was born, while we are welcoming, almost every day, unacclimated laborers from any and every land under the sun, except Africa. But as we think the whole scheme impossible, even if it was desirable, we care less for its consequences in this way. But the bare attempt,—the harassing, the persecution of the free colored man, the breaking in upon his quiet and improvement,—we look on as impolitic as it is inhuman and wicked.

We have gone so much further than we at first intended, in our remarks on Mr. Underwood's speech, that we have left ourselves but little room—without foregoing our main design too much—to examine the others. We shall therefore be restricted to short samples of them, requesting those who have the curiosity and can spare the time, to read those speeches through. Our first attention shall be given to that of Senator Hunter.

It was, formerly, no mean proof of a pretty thorough-paced slaveholder, that he would not consent, in any way, to have the question of slavery argued in Congress. Although he was lavish in his condemnation of the ignorance and error of the inexperienced, and although he professed to have all the treasures of knowledge confined to himself and his slaveholding confederates, yet there appeared to him something degrading in submitting the alleged evils of a merely domestic matter, as he was wont to regard Slavery, to the consideration of the uninitiated. Especially did he think so, if any thing was to be done to correct them. To abolish the system, more particu-

larly after the Missouri Compromise, never once entered his thoughts. But Senator Hunter, seeing that the ignorant *will* argue the question, with a view to *decide* on it, too, whether the learned will assist them or not, descends from this high position, and although he joins in the discussion, he does not forget to admonish all, in the outset, that the things he has heard "are hard to be borne." To limit a slaveholder to slaveholding regions; to restrain him from going to one of our free territories, and there setting up his impudent pretensions to dominion over his fellow-man, to give him *his* law, — is, "at least, calculated," as Mr. Hunter thinks, and he has doubtless made the *calculation*, "to stir the blood of every Southern man." But lest his brother Senators might be frightened at the introduction of a lion among them, he tells them, substantially, in his exordium, that he only personates one, that he is "a very gentle beast and of a good conscience;" "that he will endeavour to keep down any rebellious feeling" that may "struggle for utterance," and "discuss this question dispassionately."

Before Senator Hunter comes to the horrors of doing right, — horrors which he means to hold up, and which, although they are stereotyped, have been so much used that they are now nearly, if not quite worn out, — he makes another appeal, also very old, and far more effectual in by-gone times than now. This appeal is to our fears. Whether he intends that his associate slaveholders shall gird on their swords and do battle, or that they shall quietly dissolve the Union, is somewhat uncertain. Though, as he seems to think they are well prepared for either, they can adopt such a course as appears to them best, even if it be both. But that others may also judge, we will let him explain himself: —

"But can it be imagined," says he, "that the Southern states could submit long to a system of such insults and oppression? Why should they? Look to the elements of social strength and greatness already existing in the Slaveholding states. If they submitted, it would not be for want of strength enough to ensure domestic peace and secure themselves from aggression from without. But, sir, does any man believe, that the Southern slaveholder would fold his arms in mute subjection to a system of oppression, which day by day wasted his spirit, wounded his self-respect, and robbed him of his rights? Would he quietly submit to all this for the sake of union with those who were placing himself and his children in a situation worse than that of their slaves?"

Now, can the people of the North be supposed to be so dull as ever to imagine that the slaveholders want *separation* to make Slavery more secure? Of all the events that could happen to abolish it, none could be more effectual than this. The slaveholders know it, and are we to suppose that the most considerate of them, — men who, at last, will bring the rest into their measures, — would adopt an expedient that would certainly defeat the avowed cause of the separation, and make them the most pitiable and helpless, if not the most contemptible people under the sun? Their talk about dissolving the Union is nothing but a grandiloquent boast, — though they will use it as a device that has been successful heretofore; but when they see the North *determined*, they will cease even from that; the late Virginia and South Carolina resolutions to the contrary notwithstanding.\* As to their fighting, and if there be any fighting done, the South must begin it, nothing can be more out of the question and impossible. And as to their fighting the people of the North, nothing can be more absurd. If we could laugh at lunacy, we could laugh at this. It reminds us of a female, weak at best, in a situation more than any other requiring help from her best friends, talking about fighting all who would assist her. If the South come North to fight, leaving her slaves behind, they will certainly lay hands on all within their reach. This consideration will force the combatants to bring their wives and children along with them, not very good aids in battle — and in the trepidation with which they would be beset, they would not be in the very best condition for fighting. Rely on it, with the exception, perhaps, of a few high-mettled young men, or silly old ones, who ought, by no means, to direct such affairs, there will neither be fighting, nor the inclination to fight. The greatest difficulty will, probably, be in prevailing on the North to maintain the ground already gained, giving ear to no compromises, and advancing to grounds still higher.

---

\* The North has been managed by the South, as far as regards Slavery, on this principle: The North considered the Union, (unimpaired, of course,) as their highest political interest — the South, Slavery. When the South wished to advance Slavery, or defend it from any assault, they had only to threaten the integrity of the Union. The latter endeavoured to convince themselves, that, as Slavery was not among *them*, it was rather a Southern concern, and controllable exclusively by the South, who alone were affected by it. They, therefore, — for they believed the South, — thought they had driven a good bargain, in making any concession, however great, to Slavery, when, by so small a matter as they considered it, they had preserved what was *first* with them. "To save the Union," has been the cry of some of our most accomplished demagogues.



But Senator Hunter forgets the promise he made to discuss this subject "dispassionately." Like the warhorse, he snuffs the battle from afar; and such a battle! One waged against a part of his brethren because they interfere to prevent him from enslaving another part of them! Magnanimous cause! In his excitement he lets off the usual, though now innocuous, volley of southern rhetoric, and talks of "domestic altars wrapped in flames"; of "midnight assassins"; "of his hearthstone"; of "slaking the ashes"; of "the best blood"; the "dearest blood of his household," &c., &c., &c. Yet, in true chivalrous style, he "begs pardon" for the feeling he has betrayed; but like Bottom, the weaver, he seems to say, "let the audience look to their eyes."

If we could, in any way, separate the multi-form — we were about to say the inseparable — adjuncts of Slavery from the "system" itself, and look on it after the manner of a Virginian, who seems to regard it as little else than an "abstraction," we should, in our strong desire to accommodate the slaveholders, be half inclined to grant them what they so earnestly wish. They think, with Senator Hunter, that to deprive them of what they choose to call the "right" of enslaving their fellow-man, and of doing all that a slaveholder can do with his victim, "brands them with the badge of inferiority," and that it denies them what is "not merely important, but essential to their very prosperity and existence." I see no reason to doubt, that, in this matter, they think honestly; for with rare exceptions, they judge rather meanly of a government under which slavery is not allowed; and a slaveholder, particularly if he is a large one, looks somewhat suspiciously on the resident of a free state who has none of his fellow-creatures in bondage. A slaveholder of the third or fourth generation, especially if he be brought up in Virginia, or in any of the old Slave states, is the last person on earth to think that he can exist without a slave to brush his hat and coat and clean his boots.

In the warmth of his excitement, too — with the pleasing images which Slavery presents — and without once seeming to recollect that the Slave states are considered, by all impartial and well-informed persons, as a mere dead weight, a clog, to the Free states in their upward tendency toward civilization, Mr. Hunter thinks, that if Slavery were undisturbed, the situation of the Union would be far too high and enviable for his descriptive powers even to attempt to do it justice. On this theme he thus descants:

"You would then have," says he, "an harmonious, prosperous, and happy confederacy. Who would then undertake to assign the limits to future progress, if we thus moved on devoid of sectional jealousies and hostilities? Imagination halts at the attempt to conceive it. It is not for my pencil to make the effort to paint such a future."

After showing, at least to his own satisfaction, what has never been denied, that the North "have no right to trample upon the rights" of the South, or indeed of any of the states, "or to disregard the obligations imposed by the Constitution;" after threatening them with a dissolution of the Union, and using the commonplaces of "blood," "arson," "murder," "assassination," &c., &c., of the whites, by the slaves, in the event that right and justice be done; after portraying so vividly, in the passage just quoted, the many advantages that an authorized, quiet, submissive, and well-protected slave would produce to the Union, the speaker makes an admission, which, plain and obvious as it is, Southern politicians do not often make, and which calls for some explanation. In these almost humble terms he acknowledges the political superiority of the North:—

"The Senator from Massachusetts said that the Slave states had grown relatively faster than the Free. Is it not obvious that he was mistaken? Is not the relative power of the non-slaveholding states greater at this day in the House of Representatives than when the Constitution was formed? No man can doubt it. . . . Is it not obvious that the non-slaveholding states possess an increasing superiority. . . . Who in his senses, then, can pretend to believe that the Southern states will acquire superior power in this confederacy? No, sir, No. That can never be our lot; we know it, and acknowledge it. If you were to permit us to live in this confederacy hereafter as we have lived heretofore, as your equals and brethren, the whole result would be, not to change to any sensible extent, the relative degree of power possessed by the two sections of the Union, but to secure to you the united exertions of all for the good of all."

The design of the above passage is to show, that the North should care so little and feel so little about Slavery, that the question should never more be agitated by them, but be one of the admitted interests of the country, whose existence and entireness should be the common concern of all—the common defence of all. In order to cajole the North into this he makes an open acknowledgment of the superiority of their political

power. Senator Hunter, notwithstanding his assertion, and the assertion of many others, that the South has full power to defend successfully any of her institutions against all opposers, has not forgotten to do what the most chivalrous slaveholders *will* do, when they deem it necessary, — “eke out the lion’s skin with the fox’s tail.” The admission of political superiority is made here in the same way, and with the same mental reservation, that the admission is made of any superiority in the conveniences of living and improvements of every sort, of the Free states over the Slave states. While these conveniences are overt, undeniable, the slaveholders still think that *they* are superior to the non-slaveholders; that whilst the latter toil like the slave, and increase in the small way, *they* are more liberal; that whilst the people of the Free states, from their closeness and parsimony, merit the name often given them at the South, of a “sixpenny, picayune set,” *they* are more generous; that whilst the people of the Free states are engaged in a close, small business, *they* pursue a much larger, more ennobling one — are more magnanimous; that in fine, as Senator Hunter would say, by birth and occupation, they belong to the “governing class.” But lest we extend our remarks on Senator Hunter’s speech to too great length, we have to leave many of his odd notions unexamined. As a whole, his effort, with the exception of that part of it which attempts to prove that Congress has the right to legislate for the Territories, a thing which, to all sensible and impartial persons, cannot be made plainer, is an incoherent and absurd rhapsody. Those who read his speech with a view of gaining information, which, it may be supposed, every intelligent slaveholder possesses, and on such an occasion would take pleasure in imparting, will be disappointed. However, it will serve to show what opinions are entertained about Slavery in the class from which Mr. Hunter comes. But it is a consolation to think that they are the opinions alone of that class. The great body of the slaveholders, to say nothing of those who are not, do not entertain such ultra notions. The Senators and the other members of Congress have been elected for some time back, and they are elected now, for their fidelity to the cause of Slavery. We do not intend to say that no other qualification is required, but on this subject no man at all *suspected* would be chosen. To be considered, then, as altogether above suspicion, the most high-strung and uncompromising opinions are given out.

But Mr. Hunter does not himself appear to have formed any very distinct notions about Slavery — a matter concerning which almost any slave in Virginia could be his teacher. "If," says he, "it be the control which man exercises over man, or if it consist in the degree of that control — when you have ascertained the line where that control is freedom, and where, on the other side, it becomes slavery, you may find at home an application of your definition. Are we told that the good of society calls for the relation of parent and child? who does not know that the control often exercised by the parent over his offspring is as despotic as that of the master over the slave. If the good of society, then, call for this relation, *a fortiori* the good of society demands that when two such races come together as are found side by side with us, that the weaker should be reduced to the dominion of the stronger." The "inequalities of human condition," among which Mr. Hunter puts Slavery, he says are "inevitable." "Establish what laws you will, you cannot prevent it. You cannot prevent the inferior from being enslaved, either as a class or as individuals." He very religiously concludes, that it is uncontrollable, because "an ordination of Providence." What a God must Senator Hunter have, and what parents must there be in Virginia, who are not disgraced by treating their children as the slaves are generally treated!

Mr. Hunter, as might naturally enough be supposed, has a gloomy and uncomfortable view of the race to which he belongs. Instead of entertaining the belief that men are born to assist each other, to make each other more happy, that strength is given to the strong to aid the weak, he says, "the whole progress of ordinary life seems to consist in a series of victories achieved by the stronger over the weaker"; "that as, amongst herds of animals, the stronger appropriates the larger share of the food designed for all, and appropriates it at the expense of the weaker, so, of the races of man, the superior subdues or supplants the inferior, and the equal and general reward of society is but a universal struggle between man and man" — not for the perfection of their nature, but for the prizes that are to be obtained.

With regard to Senator Berrien's speech we shall have but little to say. It is not very long, as speeches on the wrong side, or on the questionable side, usually are. Nor has it the clearness and compactness of Mr. Calhoun's speeches, which we hardly ever read without a stronger wish than in the case

of any other slave-holding member of Congress, that he was on the right side of the Slavery question ; for on it he appears as much demented as ever Don Quixote was on the subject of knight-errantry.

But as indistinct and unsatisfactory as Mr. Berrien often is, we get from him some matters worthy of consideration. It has been the opinion — universal, we think, amongst impartial men — that in a state or territory where Slavery was not established, or, in some form, recognized by law, it could not exist, at least nowadays. But it seems that this opinion was altogether a mistake, for the Senator tells us that “ the precise converse was decided in the Supreme Court of Louisiana ” — “ and that the learned judge who pronounced that decision stated it as a *legal axiom*, that in all governments in which the municipal regulations are not absolutely opposed to slavery, persons reduced to that state may be held in it.” \* To such a degree of corruption has Slavery brought our state courts ! To examine such an opinion and formally show its unsoundness, would be to prove ourselves as great simpletons as we would take our readers, or the court delivering the opinion, to be.

The following statement is contained in the last paragraph of Mr. Berrien’s speech :

“ Slaves are recognized as *property* by your *navigation laws*. You provide for their transportation coastwise, from the port of any state to any ‘ port or place within the limits of the United States.’ A citizen of Savannah holding a slave, the issue of one purchased by him from your officer, under a sale for direct taxes, for which he has paid the price which you hold, goes before the collector of that port, and having complied with the requisitions of that law, obtains from him a permit to transport that slave to Monterey, a port or place within the limits of the United States, there to be sold as a slave, or to be held to service or labor ; and having your title to this slave and you having his money, he has also your permit to carry him there as a slave : tell me what au-

---

\* As Mr. Berrien has neither given the name of the case, nor that of the “ learned ” judge who delivered the opinion, may he not have confounded it with one given by the Supreme Court of Missouri, in which this notion is found ? — “ It is not necessary to show any general custom in a country of holding negroes in slavery to prove its legality. If it be found to exist in fact, even to a limited extent, and no positive law prohibiting it be shown, it will be decided legal.” We have a belief, and with us it is a pretty strong one, that there has been the mistake supposed : for we have entertained no small respect for the good sense of the decisions of the Supreme Court of Louisiana, and the *dictum* just quoted is entirely in opposition to it.

thority is there in any territory of the Union which can override and nullify that of the supreme government on which it depends, and from which it derives whatever power it possesses?"

This is a fearful statement, and shows how impossible it is to have any thing to do with slavery without being defiled by it, no matter how cautious we may be. It is an important fact also to show, that the general government, if it have the power to abolish slavery, ought to abolish it as soon as possible; if not, or no power to meddle with it at all, it ought to pass no law concerning it.

Mr. Clayton was the father of the bill in the Senate to organize governments in Oregon, California, and New Mexico — commonly and unfavorably known as the Compromise Bill. The Slavery question, as applicable to these territories, had been debated, apparently unsuccessfully, in the Senate for several weeks, when Mr. Clayton made the motion to raise a committee composed of equal numbers from both sections of the Union, as well as of both political parties. He was, of course, chairman of it; and although from a slave-holding state, he is not a slaveholder, free labor being more profitable where he resides than slave labor. But he is as utterly heartless as to man's rights — as warm an advocate of the despotic pretensions of the slaveholder, as if he had scores of his fellow-creatures in bondage, or was the owner of a large sugar or cotton plantation. The other Senators from slave-holding states were Mr. Calhoun, Mr. Underwood, and Mr. Atchison. Those from the free states were Messrs. Phelps, Clarke, Dickinson, and Bright, one of whom, if not two, have declared themselves favorable to Slavery, while the remaining two but dimly represent the spirit of liberty now rising in the free states, and inexorably demanding that there shall no longer be slavery in the land. The bill reported to the Senate by this committee was passed by a vote of 33 yeas to 22 nays; was sent at once to the House of Representatives, where, on the motion of Mr. Stephens, a southern member, it was laid on the table, without any intention of taking it up again, by 112 yeas to 97 nays. The House of Representatives passed its own bill for organizing a territorial form of government in Oregon, and sent it to the Senate; it was then that Senator Clayton made his speech.

Were we to judge of him entirely by this effort, we should say he is imperious, overbearing, impatient of opposition to

his plans, a "man of the world," whose moral standard ascends no higher than the law of the country. He was evidently a good deal offended at the summary manner in which the House of Representatives disposed of a bill from which he looked for a complete settlement of the long and violent slavery agitation, endangering, in his opinion, the integrity of the Union; and in which he had borne so conspicuous a part, that he well might have raised the demagogical cry that he had again saved it. With him there is a struggle to keep down his resentment at their treatment—or rather his contempt, for he virtually charges them, and indeed all opposers, with ignorance; not recollecting that Mr. Stephens supported his motion on the very grounds that had been urged against the bill in the Senate, where the discussion of it may have been sufficiently heard by the members of the House. Nor does he conceal his feelings toward such of his brother senators as opposed the bill, for on them he bestows some of his hardest and most ill-natured blows.

We do not intend, by these remarks, to disparage the effort of Senator Clayton, compared with those of other senators on the same occasion, nor to convey the idea that it was wanting in ability. By no means:—for in point of fact, although Mr. Clayton does not profess to deal in the mysteries of Slavery—it was quite superior to those that we have especially brought to the notice of our readers. As a composition it is smoother, the *electio verborum* is easier; as an argument it is more regularly built and systematic than theirs. In fine, according to the generally received notion of strength, he is stronger than they are, abler, has greater power of explaining, condensing, and recommending his meaning. They utter sentiments so very adverse to all our notions of justice—so entirely repugnant to the truths that we have pronounced "self-evident," that what they say is at once cast aside, without producing any mischievous results. But it is not so with Senator Clayton. While he insinuates opinions as mischievous as theirs, he so introduces them that they often find not only transient harbor, but are likely to be looked on as the opinions that ought to be always entertained. Indeed, we should fear that they might prevail, were not popular improvement slowly but constantly and certainly circumscribing their area, and bringing closer together the walls that are finally to crush them.

We hear over and over again of the "compromises" of the

Constitution. These words are in the mouth of every politician; they form the warp and woof of almost every speech about Slavery, whether in or out of Congress, and even large political assemblies have not failed to employ them. But they are, for the most part, without any very definite meaning. We do not remember to have seen them so explained as Mr. Clayton explains them, or so lightly thought of as he seems to think of them. So reprehensible, indeed, do we consider his remarks, that had they been drawn from him by any unlooked for occasion, or sudden excitement, we should in that find his excuse. But they were not; for his speech bears every mark of having been deliberately considered. After calling the rash advocates of slavery at the South, and the uncompromising opponents of it at the North "geographical factions," and saying that the war between them and the bill was a war of extermination—that they do not desire any thing that would tranquillize the country and restore fraternal feelings to its discordant sections, he then proceeds:

"They have falsely represented the bill to be a compromise of principle, and have employed the cant that principle cannot be compromised, although the Constitution itself was but a compromise of principle, and the result of mutual concession between the different members of the confederacy."

As if not content with this, he returns to the charge and says:

"That same spirit, that mutual deference and concession are again rendered indispensable by our condition. We are now about to apply the Constitution to a region larger than the old thirteen states when the Union was founded. Under such circumstances, when I hear a man set up for himself a higher standard of morality and virtue than that of the fathers of the Republic, and say that he can agree to *no* compromise, or, to use the cant of the time, that principle cannot be compromised, I think of the poet's exclamation—

"'O! for a forty-parson power to chant thy praise, hypocrisy!'

"Not a man came out of the convention that framed the Constitution who had not objections to some part of it. It was a *compromise*, and the same feeling which governed in its formation is, and ever will be, indispensable to its preservation."

That the Constitution was what Washington said it was—"the result of a spirit of amity, and of mutual deference and concession," we are not inclined to call in question. The



name of Washington is here introduced by Mr. Clayton, who artfully associates his expressions, as just now quoted, with his own, that the Father of his Country may seem to have used, or given his sanction to, the obnoxious sentiment of Mr. Clayton.

But "a spirit of amity," — "mutual deference and concession," are, by no means, the same as Mr. Clayton's "compromise of principle" — indeed, they are widely different from it. The first ought to prevail everywhere and at all times. We doubt whether a constitution or form of government intended to pervade a country as large as ours was ever made, or can be made without "amity, mutual deference and concession," and we hazard but little in saying that Washington, anxious as he unquestionably was, for the adoption of the Constitution, never pronounced it a "compromise of principle," or used words tantamount to them; and we have too much respect for his memory — for his honesty — for his sense of propriety, to suppose that he ever declared a "compromise of principle" to be the "cant of the times."

Notwithstanding the light and contemptuous terms in which Mr. Clayton speaks of compromising a principle, — if he mean the same thing by principle that we do, truth, or what we honestly take for truth; the consciousness of acting according to what we believe right; doing to others as we would have them do to us, — if he mean this, we do not see how it *can* be done. A principle is our highest treasure. Adherence or non-adherence to it makes the good man or the bad man. To the poor — to the afflicted — it gives a self-respect which the honors of the world or its wealth cannot give. Nothing is equal to self-respect, and nothing is of value enough to be given in exchange for it. He who wisely respects himself, respects the Being who made him — the Saviour who died for him. If, by a compromise of principle it be meant that a part of the truth we already possess is to be yielded on both sides, then that part is lost, abandoned, for a principle cannot be transferred. Both exchangers are injured; both have admitted injustice; both have lost, what in their present state is irrecoverable — their self-respect. The vile becomes equal to the precious. A lie is as good as the truth, and better, if it seem better to effect the purpose for which it is told. We may lawfully do evil, if, in our dim, imperfect, and partial apprehension, we suppose good will result from it. Right and wrong — justice and injustice — the will of God and the will of the Devil are a mere nothing, and for persons

to boggle about preferring one to the other is nothing but "cant."

We readily admit that the consolidation of the Union, after the peace of 1783, was the "greatest interest," so far as government was concerned, which could enlist the intelligent friends of the country, although there was a large party that thought otherwise. Yet all such interests are subordinate to the respect which every man owes to himself. He may have an interest in the government, as government is administered, as great as it can excite; for instance, in the establishment of a heavy tariff, or of a system of direct taxation: but let the complete success of the government depend on his telling a falsehood, though it be known only to himself, and he will not hesitate what to do. For the act of the government he is not responsible—it cannot injure him as a man, as a moral being; for his own act he feels that he is responsible, and that he may be everlastingly sunk by it in his own estimation, if not in that of others.

Now if this be true, to establish the "Constitution of the Union," important as it is admitted to have been, was not of as much value as for one honest man—Washington, for instance—to maintain his integrity; to prove himself faithful when others required him to be faithless and degenerate; to be seen doing what he believed right, in spite of the scoffs and contumely of those who knew they were doing wrong.

Whilst we say this, we do not mean to affirm that there was no compromise of principle in the Constitution. There was one—a mischievous one. It was on the part of Northern members, who well knew that Slavery, making merchandise of human beings, was morally wrong, a sin, yet consented it should be in the Union, and be protected by its power as one of its interests—provided they and their constituents received advantages in certain fisheries, or in the carrying trade, or for any other equivalent, we care not what. Of this compromise, had we not historical evidence of it, we could not but be aware from the discord it has produced. We are now reaping the bitter fruits of it. It is in vain to look for a cessation of it as long as slavery exists. Conscience on the one side, and injustice and avarice on the other, know no truce. The war will be waged, till one or the other gains a complete victory. Which will gain that victory it is not hard to foresee. But even on this compromise, Washington, in all likelihood, did not look so seriously as we now do. He probably thought it little more than a "deference," a "concession," for

he was a slaveholder in 1787, and continued so during the remainder of his life. But he who is well acquainted with the political history of the country from the peace of 1783 to the ratification of the present Constitution,—especially when he remembers that knowledge, and reflection, and feeling in regard to Slavery were almost immeasurably lower than they now are,—will be prepared to make no small allowance for this deviation, and almost to say, with Washington, “the consolidation of our union was the greatest interest of every true American.” Under the Articles of Confederation, Congress—the Legislature of the Union—consisted of but a single House. Its “delegates” were appointed by the different state legislatures. In making treaties, declaring war, making peace, receiving and sending ambassadors, borrowing money, &c., it represented the whole country. But then it could not collect the moneys it necessarily expended or promised, except with the consent of the several states, and through the officers appointed by them. The sums loaned to us by foreign governments were loaned to Congress. The public debt, at the conclusion of the war, was about forty millions of dollars. From Nov. 1st, 1784, to Jan. 1st, 1786, fourteen months—there was not half a million of dollars paid into the treasury of the United States; a sum so altogether insufficient to meet the current expenses of the country, and the interest of the debt, saying nothing of discharging any of the principal, that foreign nations began to decline making treaties with us, fearing, from the inefficiency of our government, we should not be able to comply with the terms of them. The inconvenience that had been felt during the war from this uncertainty of raising funds, occasioned an application by Congress for power to levy an impost of five per cent. on imported and prize goods. Mr. Fitzsimmons and Mr. Rutledge, two gentlemen of great intelligence, constituted the committee to whom this matter was referred. Their report in favor of it, after a tedious and embarrassing debate, was adopted on the 18th of April, 1783. Mr. Madison, Col. Hamilton, and Oliver Ellsworth, afterwards Chief-Justice Ellsworth, were appointed to prepare an address to accompany the recommendation to the several states. In this address is the memorable sentiment so often quoted:—“*Let it be remembered, finally, that it has ever been the pride and the boast of America, that the rights for which she contended were THE RIGHTS OF HUMAN NATURE.*” They go on to say, that never had the “unadulterated forms

of a republican government . . . so fair an opportunity of justifying themselves." "If justice, good faith, honor, gratitude, and all the other qualities that ennoble the character of a nation, and fulfil the ends of government, be the fruits of our establishments, the cause of liberty will acquire a dignity and lustre which it has never yet enjoyed, and the example will be set which cannot but have the most favorable influence on the rights of mankind. If on the other side, our government should be unfortunately blotted with the reverse of these cardinal and essential virtues, the great cause which we have engaged to vindicate will be dishonored and betrayed; the last and fairest experiment in favor of the rights of human nature will be turned against them, and their patrons and friends exposed to be insulted and silenced by the votaries of tyranny and usurpation."

In June, 1783, Washington, in view of soon laying down his public command, addressed the governors of the several states. He warmly recommended the same measures that had been recommended by the last named committee. He considered as essential to the well being, if not to the existence of the United States as an independent power—1. An indissoluble union of the states under one federal head. 2. A sacred regard to public justice. 3. The adoption of a proper peace establishment, and 4. The prevalence of a pacific and friendly disposition among the people of the United States. The opinions expressed by Washington were not hastily formed, for we find him frequently expressing them again. As late as 1786, in replying to a letter of William Jay, afterwards appointed the first Chief-Justice, he said, "I do not conceive we can exist long as a nation without lodging somewhere a power which will pervade the whole Union in as energetic a manner as the authority of the state extends over the several states." Similar opinions were expressed by his correspondents, embracing a large number of the ablest and most considerate men in the country.

The party, — for it now may be called such, — headed by those three persons and others who thought as they did, had to encounter the opposition of another party, which, if it did not equal their opponents in intelligence and ability, was yet formidable for its numbers. "Viewing," says Chief-Justice Marshall, from whose *Life of Washington* these facts are, for the most part, obtained, "Viewing with extreme tenderness the case of the debtor, their efforts were unceasingly directed

to his relief. To exact a faithful compliance with contracts was, in their opinion, a measure too harsh to be insisted on, and was one which the people would not bear. They were uniformly in favor of relaxing the administration of justice, affording facilities for the payment of debts, or of suspending their collection and of remitting taxes. The same course of opinion led them to resist every attempt to transfer from their own hands into those of Congress, powers which by others were deemed essential to the preservation of the Union." In many of the States this party constituted a majority — in all of them it had great influence. The contest between these two parties was every now and then revived, whilst their alternate success kept the public mind perpetually agitated with hopes and fears on matters of prime importance.

Such had been for a long time, and such was the political condition of affairs, — though many things had conspired to give success to the first mentioned party, — when the delegates to the Convention met at Philadelphia. But it may be asked, if the restoration and support of public credit was the leading idea — the pressing notion — in the general mind, why did not the conventionists limit their amendments of the Articles of Confederation to *that*? It may be replied, that, supposing the restoration and support of public credit to be as important as it is represented, it was probably much discussed, and the necessity of it pretty clearly seen, before the meeting at Philadelphia; that other defects in the Articles, if not so prominent, were not unseen; that the conventionists had full power, not only to remedy all the defects of the federal system, but to make a *government for the country*, that its laws might be effective throughout its whole extent, (for any form that they adopted was not to go into practice till submitted to the people in their State Conventions, and sanctioned by them;) and further, that opposition to the main measure might be much weakened by discussion on the other, wise and desirable provisions of the Constitution; or, indeed, that approbation of them might gain over, or soften the opposition to what was thought the most important one.

But Senator Clayton gives to the "compromises of the Constitution" — we use the word *compromises* here because it is more in fashion and better understood than any other word — a far more extensive interpretation than we remember before to have seen. As the Constitution was a compromise, so he comes to the conclusion, — not a very logical one, some

will think,—that “the same feeling which governed in its formation is and ever will be indispensable to its preservation.” If this be true, the free states are called on for compromises coeval with the duration of Slavery, and apart from the Constitution. Washington appears not so to have considered it. He thought that the Constitution was the consequence of certain dispositions shown by the members of the convention to one another — “the result” of these dispositions, terminating with its formation. Besides, these “never-ending compromises” were not submitted to the people for their ratification or rejection. Nothing but the Constitution, in which all that led to it,—all the compromises, or whatever else they may be called, were supposed to be merged and embodied,—nothing but the Constitution, as containing the substance of their political relations to individuals or communities, they were to ratify or reject.

But we would ask Mr. Clayton what compromise demanded by the Constitution has not been fulfilled by the states of the North? Have they not quietly submitted to the decennial enumeration which counts five slaves as three free persons, thus increasing the congressional representation of a state in proportion as man has been reduced to bonds within her borders? Have they not patiently submitted to the relinquishment of a part, an important part, of their sovereignty, which requires them to protect ALL who owe them allegiance, as do ALL within their limits, whether they have escaped from unpaid labor or not; to the search of their land, in its length and breadth, by the slaveholder, panoplied in his own slave state constitution, while he hunts for his enslaved brother, seeking his safety in his obscurity; to the merciless scourgings, the inhuman hangings of their citizens, without law or trial; to the expulsion of an agent humanely sent by one of them, to attend to the interests of the most injured class of her citizens,—to his expulsion from the state by a Charleston mob, upheld and encouraged by a legislative act; to the expulsion of another agent, deputed to Louisiana on a similar laudable business? And does the Senator know so little about Slavery as not to be aware that, as its victims increase, and as, in seeking long lost rights, they are supposed to become formidable, that new modes of barbarity and cruelty are invented and practised for their repression and subjugation? And does he suppose that the “compromises” of the North keep pace with the multiplication of the slaves, or with the perpetuation of un-

heard-of cruelties? Does he imagine that the North, after seeing what Slavery can do, will so stultify itself as to make of San Francisco another New Orleans, and of Monterey another Charleston? And does he once think that he could now get from the people of the North "the compromises" that were thought indispensable sixty years ago, for forming a "more perfect union"? If he has so read the temper of the people of the North; if he has so read the Constitution as to suppose that compromises are enjoined, which rise with the slaveholder's fears and necessities, be they real or imaginary, he has wonderfully misread. Or, if he fancies that his argument can "settle the controversy," or quench the spirit of a people who forbid their own officers from contaminating their hands by giving any aid in arresting a fugitive slave, yet scrupulously respect what they deem their constitutional obligations, we can tell him that an emptier fancy never found entrance into a wise head.

Before we are done with Senator Clayton's speech, we wish to examine another of its positions. It will be best presented in his own words:

"The whole of these charges against the bill, as being evasive and shunning responsibility, arise out of, and are resolved into, one single misrepresentation, which I will proceed to expose and put to shame. The misrepresentation consists in this simple declaration—that *the bill delegates and refers the power of Congress to decide the question whether slavery shall exist in the territories to the Supreme Court of the United States.* Now the bill delegates no power of Congress whatever. It simply provides that a writ of error or appeal shall be had, at the suit of either party, in case of a claim of freedom by any negro, in either California or New Mexico, to the Supreme Court. Every power which Congress ever had over the subject is reserved, because no word in the bill proposes to devolve that power on the court or any other tribunal. The power of Congress is political and legislative; that of the Court is simply judicial. The great question, to settle which the select committee was raised in the Senate, was whether the citizens of slave-holding states of this Union have a constitutional right to emigrate to the territories which have been acquired by the common efforts of all the states, with their slaves."

After stating the form of government provided by the bill for California and New Mexico—the appointment of officers, including Judges—the restriction of the territorial legislatures as to the introduction or prohibition of African slavery, and the

confining of the decision of the Slavery question to the territorial tribunals, "with a perfectly secured right of appeal, in all cases, from their decision to the Supreme Court of the United States," he proceeds to say :

"Thus both the master and the friend of the slave were entitled to try the question at once before the common arbiter appointed by the fathers of the republic to settle all conflicting questions of Constitutional law, while Congress retained all political and legislative power over the whole subject, to be exercised or not, as its own wisdom should see fit. A single decision of the Court, made on the very first case presented at the next term, it was understood, would have settled the question debated in these halls for years past, and which we all know can never be settled here."

Again :

"Hence a preliminary matter to be decided is, whether this question arising under the Constitution between the North and the South can" &c. . . . "The Court derives its power to decide the question not from the bill but from the Constitution." . . . "Neither Northern nor Southern men will pretend, for one moment, that this great question, which threatens to shake the pillars of our whole political edifice, is not of sufficient importance to entitle it to a decision by the highest tribunal known to the Constitution. No question of greater importance was ever before submitted to that court." . . . "Had the members of the other house given themselves time to reflect, it is quite impossible they could have rejected it, because the judges were, by the regulation of the bill, to decide a judicial question, which the Constitution ordained them to decide, and commanded us to make provision to enable them to decide."

We make these many quotations from Mr. Clayton's speech, not only that we may fully show what provisions were made by the bill from the Senate for the decision of the question of Slavery in our territories, but Mr. Clayton's own opinion, regarding it as a question which the *Constitution* had especially cast on the Supreme Court.

Though, doubtless, to use Mr. Clayton's own language, he is "deserving the name of a constitutional lawyer," his interpretation of the Constitution as applicable to the case in hand, is, to our minds, far from being clear. Wishing to make it appear that the Constitution was neutral between liberty and slavery, caring but little which should be established, he becomes indistinct and obscure: of course, he has failed to make strong and well defined impressions on others; he has only



confused those who depended on him, and who were too indolent to examine for themselves. Of two things, however, he has convinced us — if indeed we needed the conviction: that he wishes the Supreme Court to decide whether Liberty or Slavery shall forever pervade “a region larger than the old thirteen states were when the Union was formed,” without the decision being influenced in the smallest degree by any touch of humanity which the members may now have; and that the results to which any one comes in all investigations of rights — “of the rights of human nature” — will be, as his ethics are, right or wrong. He would seem to desire an impartiality in the Court altogether inconsistent with the nature of man; an unconcernedness between right and wrong, between justice and injustice, that he will in vain look for among such persons as he himself glowingly describes as composing it. For we are of opinion that there are many things which the law may put *down*, or try to put down, but which it ought not to put *up*, or try to put up. For example, murder, perjury, or bearing false witness against our neighbour, or covetousness — these cannot be enjoined; neither, as we think, can slavery, which is worse than they are, singly or combined, and which sometimes concentrates all the ills against which law can operate.

Now, although we are not a “constitutional lawyer,” probably, according to Mr. Clayton’s notions, not even “deserving the name” of one, — for we think the Constitution, so far from being made for the quibbles of lawyers, “constitutional lawyers,” if you will, is a plain instrument, intended to be understood by the people, — we take it we have a clear idea of that instrument, certainly a more honorable one, and more satisfactory to us, than the one he has given.

We set it down for granted that the Constitution has made Congress the governing power of the territories; and we believe it is admitted on all hands, that Congress itself has no authority to establish slavery in the territories, or anywhere else. Now, as the Constitution says not a word about establishing slavery, and as it does not even attempt to grant this power, admitting it *could* be granted, every one under its dominion is presumed to be in his natural, inartificial condition — to be *free*. Should this, however, not be the case, the writ of *Habeas corpus*, in its various forms, as in other instances of alleged illegal restraint, will bring the person restrained of his liberty before any territorial judge, to show the cause of his detention.

But on what grounds will the judge determine a matter, consistently with the Constitution, when it is not once mentioned in that instrument—that instrument, too, from which he derives his own power of deciding, and, indeed, all the power he has? By a very simple process: by removing whatever is antagonistic to it, and that hinders its free course, the only way, as far as we know, of making any law effective; by ascertaining that the restraint complained of is incompatible with the Constitution; that the latter will be null and void, defeated, and that an opposite state of things, setting aside the Constitution, will prevail, if the restraint be continued. This he is appointed to prevent, and, as if knowing how much the weakness of human nature needs the strongest support, this he is *sworn* to prevent.

The writ of *Habeas corpus* is entirely a judicial writ. It must be issued by a court, or by the judge of a court. Congress cannot issue it, nor decide on it, any more than any other equal number of individuals. And a decision,—a final one, of course,—may terminate the whole dispute about territorial slavery. Should this be the case, and we think it incontrovertible, what power has Congress over the question? What room is there for the “political and legislative power” of that body “over the whole subject, to be exercised or not according to their discretion”—about which Mr. Clayton so confidently comments? If the question is given by the Constitution exclusively to the judicial department, and the Supreme Court have to decide on it, as Mr. Clayton says, “not from the bill, but from the Constitution,” can an act of Congress have any effect whatever on the decision? Can an act of Congress undo what the Constitution “ordained” the Supreme Court to do? Can it restore Slavery, if the Supreme Court pronounce it incompatible with the Constitution? Certainly not, for the very act, or law, by which it would be attempted, would be declared by the Supreme Court unconstitutional, and therefore void.

After what we have said, it may be supposed that we think Congress has nothing to do with the question. True, it has nothing to do with the *decision* of the Court. It can do nothing that imposes a duty or obligation. All it can do, under the supposition that the Supreme Court will declare slavery in the territories unlawful, must be merely *influential*. It can, in the most suitable form, approve of the decision—declare its harmony with the Constitution, and that it well agreed

with the nature of this government made to establish justice, of which Slavery is the most flagitious violation. In this manner its influence may be added to that of the judiciary. But a decision to establish Slavery in the Territories ought to be considered good ground for impeachment, as showing ignorance of the Constitution, and of the very nature of the government, or for fraud in misconstruing it in favor of the wrong-doer.

Senator Clayton, in his constitutional equipoise between Liberty and Slavery, would seem to think that the Senate's bill, in restricting the decision of the Slavery question to the territorial tribunals constituted by the United States, with an appeal to the Supreme Court, had proposed a plan of settling it, not only unobjectionable, but liberal to the slave. In one respect it does appear liberal, for we have never known a case in which a slave sued for his freedom in a *United States court*. It may have been owing to the fact that both he and the person claiming him resided in the same state; or from his being advised that his value was not equal to the smallest amount for which a suit can be brought there — but from some cause or other, he was always confined, as far as we know, to the state courts. But, in all likelihood, it was not intended that in California and New Mexico, there should be, at present, any other courts than those named in the bill. If so, the liberality spoken of is but little more than apparent, for the claim of freedom must be preferred in them, or not at all.

But let us suppose that a slave is desirous of having his right to freedom adjudicated by one of these tribunals; how will it be, if the nearest judge reside two or three hundred miles, or more, from him, — the territories being of great extent — how will he obtain access to him or to his court? He has no time that he can call his own, for the master, or person holding him in possession, has appropriated that to himself, and will keep him at work. He has no money, no property, for that, too, the slaveholder has taken care to appropriate, and in considering this case, we must not take into the account what aid men humane may extend to him. But supposing these obstructions surmounted, — almost insurmountable as they are, — and that the slave duly arrives at the place where the court is usually held, and is there told that it will not be held at that term; that the judge is sick, or disabled from attending to any business. Perhaps he may there learn, too, that the judge is dead, and that, as the distance to Washington city is some two or three thousand miles, his successor

will not be there soon enough, in all probability, to hold the *next* term of the court. Besides this, the slaveholder will have the opportunity, from the failure to serve his *subpoenas*, from the absence of a material witness, &c., &c., of continuing the cause a term or two. And are we to think he will not do this — particularly in these gold-finding times, when the value of a slave, even for a few months, would be so very great, and when the interests of so many others may be depending on the decision in his case? And if it be submitted to a jury, as we apprehend it will be, — for the slaveholders will use every means of delaying the cause, and finally of defeating it, — by whom, we ask, will it be tried? Not by a jury half of whom shall be slaves, or even colored freemen, but by one made up of slaveholders, or by those who are connected with them, who daily associate with them, and are influenced by them. What, in the meantime, during all the law's delay, is the condition of the slave? The very reverse of the slaveholder's. When he first makes application for the interference of the Court, he must give bond, with security, in double the amount of what he is supposed to be worth as a vendible commodity. If he cannot find security, he must go to jail, where he will lie till brought in to Court to attend to his case. His lawyer, if he has one, will most probably be among the young and inexperienced — and attempts will be made to render him ridiculous, and the whole affair, as a matter of policy, as well as of feeling, will be laughed at. In addition to all this, the judge may be a slaveholder, or at least, he will almost certainly be appointed by a slaveholding President; the clerk — the marshal, may be slaveholders. In short, there may be no one at all, concerned as an officer of the court, or as a spectator of the trial, whose good wishes and countenance will be given to the slave.

Thus of all persons contending for rights dearer to him than all other rights, the slave may be the most forlorn, and his cause the most hopeless, especially if we consider the remoteness of the country in which these enactments take place. Indeed, Mr. Clayton himself acknowledges the difficulties, amounting almost to an impossibility, of the slave conducting his own cause, when he speaks, as he does, of the intervention of the "*friend of the Slave*."

But many will be ready to say, that a decision by a territorial judge is of little consequence, seeing, that, in any event, an appeal lies to the Supreme Court, by which the question is to be determined. We are not of that number, but Senator

Clayton is, if we may judge from this highly wrought and almost ridiculous laudation of that Court. Its character, says he, "for purity and justice is immeasurably more exalted than that of any tribunal on earth." . . . "The sectional feelings which will often influence the action of the former, [the Senators,] can never enter into the bosom of a judge without disgracing him." . . . "The objection, [Mr. Corwin, a Senator from Ohio, had made it,] that five of the nine Judges reside south of Mason and Dixon's line, is unworthy of a statesman. It is not denied that a man may be as honest, if he live on the one side of the line as on the other." . . . "The man who can in his heart believe that five judges would decide this question on sectional grounds must be prepared to pronounce them corrupt and unworthy of their stations: an opinion justified by no event of their past lives." We would say nothing, except for the truth's sake, to disparage the character of the Supreme Court, or at all disturb the praises which Mr. Clayton has seen fit to bestow on the members of it. But it is a fact well known to all who choose to inquire, that the appointments, for the last fifteen or twenty years, have been *party* appointments; that the incumbents, just alluded to, before their appointment, and it may be to gain that, were warm partisans — more conspicuous for party activity than for eminence in their profession.\* Nor was the appointing power

---

\* "Mr. Duane remained in office, [as Secretary of the Treasury,] until the 23d of September, on which day he was dismissed." . . . "On that same day, the 23d, Mr. Taney was appointed, and on the 26th, in conformity with the will of the President, he performed the clerical act of affixing his signature to the order for the removal of the deposits, and thus made himself a willing instrument to consummate what the sterner integrity of his predecessor disdained to execute. . . ." The report of the Secretary of the Treasury, [Mr. Taney,] in the first paragraph commences with a misstatement of the fact. . . . If this assertion, ["I have directed"] is regarded in any other than a mere formal sense, it is not true. The Secretary may have been the instrument, the Clerk the automaton, in whose name the order was issued."—*Speech of Henry Clay on the removal of the Deposites, in the Senate of the United States, Dec. 26-30, 1833.*

"Having maturely considered with those impartial feelings, the reasons of the Secretary, [Mr. Taney,] I am constrained to say, that he has entirely failed to make out his justification." . . . "The Secretary has entirely mistaken the case."—*Remarks of John C. Calhoun, in the Senate, on the same subject, January 13, 1834.*

"In what manner and for what purpose, was the present Secretary of the Treasury brought into office? he came into office through a breach in the Constitution, and his very appointment was the means of violating the law and the public faith. He was brought into his present station to be the instrument of executive usurpation."—*Speech of Mr. McDuffie on the same subject, in the House of Representatives.*

confined to *them*, for there were men less active in party politics — more devoted to their profession, and generally much more distinguished in it — and drawing to themselves a great deal more of the confidence of the country, who could have been found to fill the offices. For no one need try to conceal the fact that the present Supreme Court, on very important questions, does not possess the confidence of the people, in such a degree as a Supreme Court ought, to be most useful. In matters of individual claim, where party and sectional feelings are not at all aroused, their decisions are respected. But such is the case with many State Courts that could be mentioned. We are not among the number of those who believe, as one would be inclined to think Mr. Clayton did, in an entire transformation of character for the better, by an appointment to the Supreme Court. If a man is mean before it, he will be mean after. True, he may mingle less in crowds, he may engage less in matters that interest most men; his temptation may be less, but, so far as his office goes, he will remain the same being — only a man and having the trials of one.

But Senator Clayton thinks that this question will be decided strictly on constitutional grounds, and that the majority of the Court, who may be the five judges that reside in the slaveholding states and in the midst of a slaveholding population, will not be at all influenced in their judgment on sectional grounds: indeed, he goes so far as to say that he who believes so must be prepared to pronounce them corrupt; and that a man may be as honest on one side of Mason and Dixon's line as on the other. If we could bring ourselves to believe that Senator Clayton really thought this question would be decided as he has represented, or that he had no design of bringing the influence of the Court to bear against the Senator who made the remark, or of attempting himself to conciliate it, we should be led to suppose him a very unobserving and unripe man, and therefore an unsafe depository of any power. For does he not know that the Southern members, the majority, of the Court themselves practise the "system," and some of them

---

We do not intend to discuss the propriety or impropriety of removing the deposits. The foregoing extracts, to which many others of a similar purport might be added, are given simply to prove what view was taken of the present Chief-Justice's character by distinguished men, now of both parties. Mr. Taney was nominated to his present office on the death of Chief-Justice Marshall, by General Jackson, by whose direction the deposits were removed.

pretty deeply\* ; that if they pronounce it constitutional, even in the territories, they do much to strengthen it everywhere, and greatly increase their popularity at the South ; if unconstitutional, they will be called abolitionists there, be rendered odious among the slaveholders, and find it next to impossible, may we not say impossible, to reside among them, as they now do ? Does he not know, indeed, that to decide it in any way is almost, if not quite, tantamount to giving up their present situations, and, what with most men is deprecated above all things, of losing *caste* among their slaveholding associates, whose practice they think most gentlemanlike, whose opinions they most value, and for whose society they are best fitted ? This loss of *caste* or consideration, indeed, the certainty of being made odious, at the South, in the event of entertaining, or of being strongly *suspected* of entertaining, anti-slavery sentiments, has been too often stated, both by members of Congress, as well as by the members of the large religious bodies, to be unknown to Mr. Clayton. Under these circumstances, when, too, a large portion of the country is slaveholding, is it to be looked for from such men as compose the Supreme Court, that they will decide, without any chance of reversal, that Slavery is unconstitutional anywhere ? For if they decide it to be unconstitutional in the territories, they at the same time decide it to be unconstitutional, at least, in all those states which *once* were territories. Such a decision is only to be expected from men in circumstances very different from those of a majority of the Court — from extraordinary men — from men who are able to discern the truth, according to the highest standard known to man, and who have self-respect enough to prefer it to every other consideration. To decide, under the circumstances mentioned, that Slavery is unconstitutional anywhere, is only to be looked for from the *absolute* honesty which led Algernon Sidney, when solicited to do an unworthy act to save his life, to remark, that “ when it became necessary for him to do or say falsely even for the high object set before him, he knew it was the will of God that he should die.” A lawyer will not hesitate to pervert the facts or the law to a jury — or court, if he can impose on the latter, to gain his client’s cause ; a physician, to tell a dying man that his malady is not a hopeless one ; a tailor or shoemaker,

---

\* It is not long since one of them — Judge McKinley, we think, — advertised the sale of a large number of slaves at public vendue.

a customer that his coat or his shoes will be ready for him next morning, when he has no expectation, or a very slight one, of complying with his promise. Meantime these men take up their paper in bank carefully to the very hour, are punctual in the payment of their debts, and their engagements, in all matters *out* of their profession or calling, may be depended on. These, in common parlance, are called honest men, nor can they be called otherwise without appearing unjust to them. So they are, according to the low and imperfect standard — the “sliding scale,” rather — which they set up for themselves. But even this honesty we do not wish to underrate ; indeed, we would not put below its worth, — for it has some worth, — honesty of any grade. This grade of it — professional, perhaps not higher — is to be found, not only in the Supreme Court, but in other places deemed exalted, and our public affairs are, for the most part, managed by it. For if it were *absolute*, — such as we have supposed Algernon Sidney possessed ; such as impels us to take up the cross and carry it to the place of an inglorious death, sooner than do or say what we believe to be wrong or false, — we should not have men commissioned to mete out justice to *us*, who refuse it to multitudes of their fellow-beings — their brothers and sisters, whose earnings through life they take from them ; whom, and there posterity, if they have not already sold them, they consign to their heirs, when compelled by death to relinquish their hold ; to whom they carefully deny all opportunity of improving those faculties bestowed on them by God, and which belong to man so plainly that they cannot be made plainer — opportunities, too, which they themselves enjoy without stint, and for which they declare, and justly, too — there can be no equivalent. Nor should we have those judges who send back into slavery, without any reference to its horrors, a fellow-man endeavouring to escape from it, or be instrumental, for the sake of the pelf a commission brings with it, in affixing a ruinous fine on one whose humanity might lead him to give what aid he could to the attempt ; thus showing that their love of money is stronger than their love for the race to which they belong.

But Mr. Clayton seems fully to rely for an equitable decision on the high character of the Supreme Court, which, says he, “for purity and justice is immeasurably superior to that of any other tribunal on earth.” These, to many, will seem rather odd words in the mouth of an American Senator, who,



as the world goes, ought, at least, to be somewhat remarkable for the precision of his statements. They will be likely to look on them as in no small degree extravagant, if not, in the worst sense, hyperbolical. Some, no doubt, will go further, and suppose that the speaker used these words because he knew that he should lose nothing by an unfavorable comparison of other courts with ours, but by his praise of ours he might add greatly to his reputation for patriotism, since nothing, nowadays, contributes more to reputation for this quality, than depreciating what our neighbour has and exalting what we have. Others will wonder that men, eminent above all other men in similar circumstances "for purity and justice," could, in any manner, consent to be made the instruments of inflicting on a very large portion of the country the curse of Slavery, the most copious fountain of social and individual impurity, and the rankest specimen of injustice under the sun. Indeed, they will think that the very attempt to reconcile Slavery with a Constitution which professes to establish liberty, must unavoidably bewilder the mind, and obscure and pervert its perception of right. They will be amazed that men so "immeasurably" superior in purity and justice could at all hesitate between the law of man, even if it should command us to set up Slavery, and the law of God forbidding it and telling us so reasonably to do to others as we would have them do to us. They may even proceed to say that the Rights of man, of human nature, were incorporated into the Constitution by the Convention, and that this was business proper for the *Convention only*, and that the judicial power was ordained by that body to enforce those rights, according to the forms of the Constitution, should those rights at any time be invaded; but that it never was clothed with authority so to interpret that instrument, that wrong should be done to the poorest and the humblest individual, but rather that he should fly to its sacred precincts for protection against all wrongdoers pursuing him for his destruction, and there be reassured that he is a man.

It is not ours, or we do not intend at this time to make it ours, to compose these strifes, nor to pronounce on the honesty, and so forth, of the respective parties mentioned; but this we will say of some of them, — especially of the English Courts, the King's or Queen's Bench, and of the Admiralty Courts, — that persons standing as high in public estimation, and occupying as close relation to their governments as Senator Clayton did to his, have spoken in very high terms of the

purity and justice and intelligence of the courts of their countries, although they may not have been as extravagant or as exclusive as the Senator, and that their reports and decisions are read, as ours are, in all our courts, both supreme and state, except in a very few instances, — even if *they* now exist, — where ignorance has excluded them. In matters of account between man and man, however complicated, — supposing the structure and object of the government not to be concerned, — our Supreme Court and the Court of Queen's Bench would, in all probability, decide alike. Here they would act on the same ground of doing justice between men, without any temptation to warp their opinion. But if there were submitted to them the question: Which is the best, that is, the most reasonable, form of government for man? they would, without hesitation, give the preference to that under which they live — under which, in spite of its imperfections, they had attained the zenith of their profession, and enjoyed the honors they possessed. In this case, we suppose them equally honest — equally conscientious in coming to their conclusions; but, at last, they are conclusions fashioned by the influence of those around us, by habits of thinking, and by education in its extended sense, which neither religion, nor reflection on the nature of man in their case, has been sufficiently strong to cure. It is very certain that they both cannot be right. Indeed, they approach right only as far as their respective governments allow the powers of men to have their natural sway.

But these two sets of Judges, although they differ as to government, agree in thinking polygamy not only opposed to the letter and spirit of Christianity, but especially to the permanent strength and advancement of any people in civilization. If now, with a single view to benefit the government, the abolition of the harems throughout the empire were proposed to the rulers of Turkey, they would say with one accord, that they do not see how polygamy is connected with national weakness and ignorance, or how a people can be so well governed when the rulers and the rich have but one wife as when they have many. Yet these persons, we will suppose, have an unblemished reputation for honesty at home, and are exemplary in all their dealings with their fellow-men.

These instances of men being right although they differ from other men having equal honesty and intelligence, on the most important subjects, may be so endlessly multiplied, that we have but little confidence in any tribunal which impels us to

do unto others as we would *not* have them do to us. This tribunal, erected in every man's heart, always speaks the truth to *him*, however he may force it to tell a falsehood to others. Believing in it, we must say that our trust is small in the honesty of any one south of Mason and Dixon's line.

Some of our foregoing remarks may properly lead to the belief, that we intended what we have said of the speeches of certain Senators only as introductory to a more important subject. But as we advanced, we found so many wrong notions to set right, that what we projected only as our vestibule has become our temple.

ART. II. — *A Week on the Concord and Merrimack Rivers.*

By HENRY D. THOREAU. Boston and Cambridge: James Monroe & Company. 1849. pp. 413.

WE stick to the sea-serpent. Not that he is found in Concord or Merrimack, but like the old Scandinavian snake, he binds together for us the two hemispheres of Past and Present, of Belief and Science. He is the link which knits us seaboard Yankees with our Norse progenitors, interpreting between the age of the dragon and that of the railroad-train. We have made ducks and drakes of that large estate of wonder and delight bequeathed to us by ancestral irkings, and this alone remains to us unthrift heirs of Linn. We give up the Kraken, more reluctantly the mermaid, for we once saw one, no *mulier formosa, supernè*, no greenhaired maid with looking-glass and comb, but an adroit compound of monkey and codfish, sufficiently attractive for purposes of exhibition till the suture where the *desinit in piscem* began, grew too obtrusively visible.

We feel an undefined respect for a man who has seen the sea-serpent. He is to his brother-fishers what the poet is to his fellow-men. Where they have seen nothing better than a school of horsemackerel, or the idle coils of ocean around Halfway Rock, he has caught authentic glimpses of the withdrawing mantlehem of the Edda-age. We care not for the monster himself. It is not the thing, but the belief in the thing, that is dear to us. May it be long before Professor Owen is comforted with the sight of his unfleshed vertebræ, long before they stretch many a rood behind Kimball's or

Barnum's glass, reflected in the shallow orbs of Mr. and Mrs. Public, which stare but see not! When we read that Captain Spalding of the pink-stern *Three Pollies* has beheld him rushing through the brine like an infinite series of bewitched mackerel-casks, we feel that the mystery of old Ocean, at least, has not yet been sounded, that Faith and Awe survive there unevaporate. We once ventured the horsemackerel theory to an old fisherman, browner than a tomcod. "Hosmackril!" he exclaimed indignantly, "hosmackril be—" (here he used a phrase commonly indicated in laical literature by the same sign which serves for Doctorate in Divinity,) "don't yer spouse *I* know a hosmackril?" The intonation of that "*I*" would have silenced professor Monkbairns Owen with his provoking *phoca* forever. What if one should ask *him* if he knew a trilobite?

The fault of modern travellers is that they see nothing out of sight. They talk of eocene periods and tertiary formations, and tell us how the world looked to the plesiosaur. They take science (or nescience) with them, instead of that soul of generous trust their elders had. All their senses are skeptics and doubters, materialists reporting things for other skeptics to doubt still further upon. Nature becomes a reluctant witness upon the stand, badgered with geologist hammers and phials of acid. There have been no travellers since those included in Hakluyt and Purchas, except Martin, perhaps, who saw an inch or two into the invisible at the Orkneys. We have peripatetic lecturers, but no more travellers. Travellers' stories are no longer proverbial. We have picked nearly every apple (wormy or otherwise,) from the world's tree of Knowledge, and that without an Eve to tempt us. Two or three have hitherto hung luckily beyond reach on a lofty bough shadowing the interior of Africa, but there is a Doctor Bialloblotzky at this very moment pelting at them with sticks and stones. It may be only next week, and these, too, bitten by geographers and geologists, will be thrown away. We wish no harm to this worthy Sclavonian, but his name is irresistibly suggestive of boiled lobster, and some of the natives are not so choice in their animal food.

Analysis is carried into everything. Even Deity is subjected to chemic tests. We must have exact knowledge, a cabinet stuck full of facts pressed, dried, or preserved in spirits, instead of a large, vague world our fathers had. Our modern Eden is a *hortus siccus*. Tourists defraud rather than enrich

us. They have not that sense of æsthetic proportion which characterized the elder traveller. Earth is no longer the fine work of art it was, for nothing is left to the imagination. Job Hortop, arrived at the height of the Bermudas, thinks it full time to throw us in a merman, — “we discovered a monster in the sea who showed himself three times unto us from the middle upwards, in which parts he was proportioned like a man, of the complexion of a mulatto or tawny Indian.” Sir John Hawkins is not satisfied with telling us about the merely sensual Canaries, but is generous enough to throw us in a handful over: “About these islands are certain flitting islands, which have been oftentimes seen, and when men approached near them they vanished, . . . and therefore it should seem he is not yet born to whom God hath appointed the finding of them.” Henry Hawkes describes the visible Mexican cities, and then is not so frugal but that he can give us a few invisible ones. “The Spaniards have notice of seven cities which the old men of the Indians show them should lie toward the N. W. from Mexico. They have used, and use daily, much diligence in seeking of them, but they cannot find any one of them. They say that the witchcraft of the Indians is such that when they come by these towns they cast a mist upon them so that they cannot see them.” Thus do these generous ancient mariners make children of us again. Their successors show us an earth effete and past bearing, tracing out with the eyes of industrious fleas every wrinkle and crowfoot.

The journals of the elder navigators are prose Odyssees. The geographies of our ancestors were works of fancy and imagination. They read poems where we yawn over items. Their world was a huge wonder-horn, exhaustless as that which Thor strove to drain. Ours would scarce quench the small thirst of a bee. No modern voyager brings back the magical foundation stones of a Tempest. No Marco Polo, traversing the desert beyond the city of Lok, would tell of things able to inspire the mind of Milton with

“Calling shapes and beckoning shadows dire  
And airy tongues that syllable men’s names  
On sands and shores and desert wildernesses.”

It was easy enough to believe the story of Dante, when two thirds of even the upper-world were yet untraversed and unmapped. With every step of the recent traveller our inheritance of the wonderful is diminished. Those beautifully pictured notes of the Possible are redeemed at a ruinous dis-

count in the hard and cumbrous coin of the actual. How are we not defrauded and impoverished? Does California vie with El Dorado, or are Bruce's Abyssinian Kings a set-off for Prester John? A bird in the bush is worth two in the hand. And if the philosophers have not even yet been able to agree whether the world has any existence independent of ourselves, how do we not gain a loss in every addition to the catalogue of Vulgar Errors? Where are the fishes which nidificated in trees? Where the monopodes sheltering themselves from the the sun beneath their single umbrella-like foot, umbrella-like in every thing but the fatal necessity of being borrowed? Where the Acephali, with whom Herodotus, in a kind of ecstacy, wound up his climax of men with abnormal top-pieces? Where the Roc whose eggs are possibly boulders, needing no far-fetched theory of glacier or iceberg to account for them? Where the tails of the Britons? Where the no legs of the bird of Paradise? Where the Unicorn with that single horn of his, sovereign against all manner of poisons? Where the fountain of Youth? Where that Theesalian spring which, without cost to the county, convicted and punished perjurers? Where the Amazons of Orellana? All these, and a thousand other varieties we have lost, and have got nothing instead of them. And those who have robbed us of them have stolen that which not enriches themselves. It is so much wealth cast into the sea beyond all approach of diving bells. We owe no thanks to Mr. J. E. Worcester, whose Geography we studied enforcedly at school. Yet even he had his relentings, and in some softer moment vouchsafed us a fine, inspiring print of the Maelstrom, answerable to the twenty-four mile diameter of its suction. Year by year, more and more of the world gets disenchanted. Even the icy privacy of the arctic and antartic circles is invaded. Our youth are no longer ingenious, as indeed no ingenuity is demanded of them. Every thing is accounted for, every thing cut and dried, and the world may be put together as easily as the fragments of a dissected map. The Mysterious bounds nothing now on the North, South, East, or West. We have played Jack Horner with our earth, till there is never a plum left in it.

Since we cannot have back the old class of voyagers, the next best thing we can do is to send poets out a-travelling. These will at least see all that remains to be seen, and in the way it ought to be seen. These will disentangle nature for us from the various snarls of man, and show us the mighty mother

without paint or padding, still fresh and young, full-breasted, strong-backed, fit to suckle and carry her children. The poet is he who bears the charm of freshness in his eyes. He may safely visit Niagara, or those adopted children of nature the Pyramids, sure to find them and to leave them as if no eye had vulgarized them before. For the ordinary tourist all wells have been muddied by the caravans that have passed that way, and his eye, crawling over the monuments of nature and art, adds only its quota of staleness.

Walton quotes an "ingenious Spaniard" as saying, that "rivers and the inhabitants of the watery element were made for wise men to contemplate and fools to pass by without consideration," and Blount, in one of the notes to his translation of Philostratus, asserts that "as travelling does much advantage wise men, so does it no less prejudice fools." Mr. Thoreau is clearly the man we want. He is both wise man and poet. A graduate of Cambridge—the fields and woods, the axe, the hoe, and the rake have since admitted him *ad eundem*. Mark how his imaginative sympathy goes beneath the crust, deeper down than that of Burns, and needs no plough to turn up the object of its muse. "It is pleasant to think in winter, as we walk over the snowy pastures, of those happy dreamers that lie under the sod, of dormice and all that race of dormant creatures which have such a superfluity of life enveloped in thick folds of fur, impervious to the cold."—p. 103. "For every oak and birch, too, growing on the hilltop, as well as for these elms and willows, we knew that there was a graceful ethereal and ideal tree making down from the roots, and sometimes nature in high tides brings her mirror to its foot and makes it visible."—p. 49. Only some word were better here than *mirror*, (which is true to the fact, but not to the fancy,) since we could not see *through* that. Leigh Hunt represents a colloquy between man and fish, in which both maintain their orthodoxy so rigidly that neither is able to comprehend or tolerate the other. Mr. Thoreau flounders in no such shallows. He is wiser, or his memory is better, and can recreate the sensations of that part of his embryonic life which he passed as a fish. We know nothing more thoroughly charming than his description of twilight at the river's bottom.

"The light gradually forsook the deep water, as well as the deeper air, and the gloaming came to the fishes as well as to us, and more dim and gloomy to them, whose day is perpetual twilight, though sufficiently bright for their weak and watery eyes.

Vespers had already rung in many a dim and watery chapel down below, where the shadows of the weeds were extended in length over the sandy floor. The vespertinal pout had already begun to flit on leathern fin, and the finny gossips withdrew from the fluvial streets to creeks and coves, and other private haunts, excepting a few of stronger fin, which anchored in the stream, stemming the tide even in their dreams. Meanwhile, like a dark evening cloud, we were wafted over the cope of their sky, deepening the shadows on their deluged fields."

One would say this was the work of some bream Homer. Melville's pictures of life in Typee have no attraction beside it. Truly we could don scales, pectorals, dorsals, and anals, (critics are already cold-blooded,) to stroll with our dumb love, fin in fin, through the Rialto of this subfluvial Venice. The Complete Angler, indeed! Walton had but an extraqueous and coquine intimacy with the fishes compared with this. His tench and dace are but the poor transported convicts of the frying-pan.

There was a time when Musketaquid and Merrimack flowed down from the Unknown. The adventurer wist not what fair reaches stretched before him, or what new dusky peoples the next bend would discover. Surveyor and map have done what they could to rob them of their charm of unexpectedness. The urns of the old river-gods have been twitched from under their arms and set up on the museum-shelf, or, worse yet, they serve to boil the manufacturer's plum-porridge. But Mr. Thoreau with the touch of his oar conjures back as much as may be of the old enchantment. His map extends to the bed of the river, and he makes excursions into finland, penetrating among the scaly tribes without an angle. He is the true cosmopolitan or citizen of the Beautiful. He is thoroughly impartial — *Tros, Tyriusve* — a lichen or a man, it is all one, he looks on both with equal eyes. We are at a loss where to class him. He might be Mr. Bird, Mr. Fish, Mr. Rivers, Mr. Brook, Mr. Wood, Mr. Stone, or Mr. Flower, as well as Mr. Thoreau. His work has this additional argument for freshness, the birds, beasts, fishes, trees, and plants having this advantage, that none has hitherto gone among them in the missionary line. They are trapped for their furs, shot and speared for their flesh, hewn for their timber, and grubbed for Indian Vegetable Pills, but they remain yet happily unconverted in primitive heathendom. They take neither rum nor gunpowder in the natural way, and pay tithes without being



Judaized. Mr. Thoreau goes among them neither as hunter nor propagandist. He makes a few advances to them in the way of Booddhism, but gives no list of catechumens, though flowers would seem to be the natural followers of that prophet.

In truth, Mr. Thoreau himself might absorb the forces of the entire alphabetic sanctity of the A. B. C. F. M., persisting as he does in a fine, intelligent paganism. We need no more go to the underworld to converse with shadows of old philosophers. Here we have the Academy brought to our doors, and our modern world criticized from beneath the shelter of the Portico. Were we writing commendatory verses after the old style, to be prefixed to this volume, we should begin somewhat thus :—

If the ancient, mystique, antifabian  
Was (so he claimed) of them that Troy town wan  
Before he was born ; even so his soul we see  
(Time's ocean underpast) revive in thee,  
As, diving nigh to Elis, Arethuse  
Comes up to loose her zone by Syracuse.

7 The great charm of Mr. Thoreau's book seems to be, that its being a book at all is a happy fortuity. The door of the portfolio-cage has been left open, and the thoughts have flown out of themselves. The paper and types are only accidents. The page is confidential like a diary. Pepys is not more minute, more pleasantly unconscious. It is like a book dug up, that has no date to assign it a special contemporaneousness, and no name of author. It has been written with no uncomfortable sense of a public looking over the shoulder. And the author is the least ingredient in it, too. All which I saw and part of which I was, would be an apt motto for the better portions of the volume : a part, moreover, just as the river, the trees, and the fishes are. Generally he holds a very smooth mirror up to nature, and if, now and then, he shows us his own features in the glass, when we had rather look at something else, it is as a piece of nature, and we must forgive him if he allow it a too usurping position in the landscape. He looks at the country sometimes (as painters advise) through the triumphal arch of his own legs, and, though the upsidownness of the prospect has its own charm of unassuetude, the arch itself is not the most graceful.

So far of the manner of the book, now of the book itself. It professes to be the journal of a week on Concord and Merrimack Rivers. We must have our libraries enlarged, if Mr.

Thoreau intend to complete his autobiography on this scale — four hundred and thirteen pages to a sennight! He begins honestly enough as the Boswell of Musketaquid and Merrimack. It was a fine subject and a new one. We are curious to know somewhat of the private and interior life of two such prominent and oldest inhabitants. Musketaquid saw the tremulous match half-doubtingly touched to the revolutionary train. The blood of Captain Lincoln and his drummer must have dribbled through the loose planks of the bridge for Musketaquid to carry down to Merrimack, that he in turn might mingle it with the sea. Merrimack is a drudge now, grinding for the Philistines, who takes repeated dammings without resentment, and walks in no procession for higher wages. But its waters remember the Redman, and before the Redman. They knew the first mammoth as a calf, and him a mere *parvenu* and modern. Even to the saurians they could say — we remember your grandfather.

Much information and entertainment were to be pumped out of individuals like these, and the pump does not *suck* in Mr. Thoreau's hands. As long as he continues an honest Boswell, his book is delightful, but sometimes he serves his two rivers as Hazlitt did Northcote, and makes them run Thoreau or Emerson, or, indeed, anything but their own transparent element. What, for instance, have Concord and Merrimack to do with Boodh, themselves professors of an elder and to them wholly sufficient religion, namely, the willing subjects of watery laws, to seek their ocean? We have digressions on Boodh, on Anacreon, (with translations hardly so good as Cowley,) on Persius, on Friendship, and we know not what. We come upon them like snags, jolting us headforemost out of our places as we are rowing placidly up stream or drifting down. Mr. Thoreau becomes so absorbed in these discussions, that he seems, as it were, to *catch a crab*, and disappears uncomfortably from his seat at the bow-oar. We could forgive them all, especially that on Books, and that on Friendship, (which is worthy of one who has so long commerced with Nature and with Emerson,) we could welcome them all, were they put by themselves at the end of the book. But as it is, they are out of proportion and out of place, and mar our Merrimacking dreadfully. We were bid to a river-party, not to be preached at. They thrust themselves obtrusively out of the narrative, like those quarries of red glass which the Bowery dandies (emulous of Sisyphus) push laboriously before them as breast-pins.

Before we get through the book, we begin to feel as if the author had used the term week, as the Jews did the number *forty*, for an indefinite measure of time. It is quite evident that we have something more than a transcript of his fluvialile experiences. The leaves of his portfolio and river-journal seem to have been shuffled together with a trustful dependence on some overruling printer-providence. We trace the lines of successive deposits as plainly as on the sides of a deep cut, or rather on those of a trench carried through made-land in the city, where choiceness of material has been of less import than suitableness to fill up, and where plaster and broken bricks from old buildings, oyster-shells, and dock mud have been shot pellmell together. Yet we must allow that Mr. Thoreau's materials are precious, too. His plaster has bits of ancient symbols painted on it, his bricks are stamped with mystic sentences, his shells are of pearl-oysters, and his mud from the Sacramento.

— “Give me a sentence,” prays Mr. Thoreau bravely, “which no intelligence can understand!” — and we think that the kind gods have nodded. There are some of his utterances which have foiled us, and we belong to that class of beings which he thus reproachfully stigmatizes as intelligences. We think it must be this taste that makes him so fond of the Hindoo philosophy, which would seem admirably suited to men, if men were only oysters. Or is it merely because, as he naively confesses in another place, “his soul is of a bright invisible *green*”? We would recommend to Mr. Thoreau some of the Welsh sacred poetry. Many of the Triads hold an infinite deal of nothing, especially after the bottoms have been knocked out of them by translation. But it seems ungrateful to find fault with a book which has given us so much pleasure. We have eaten salt (Attic, too,) with Mr. Thoreau. It is the hospitality and not the fare which carries a benediction with it, and it is a sort of ill breeding to report any oddity in the viands. His feast is here and there a little savage, (indeed, he professes himself a kind of volunteer Redman,) and we must make out with the fruits, merely giving a sidelong glance at the baked dog and pickled missionary, and leaving them in grateful silence.

We wish the General Court had been wise enough to have appointed our author to make the report on the Ichthyology of Massachusetts. Then, indeed, would the people of the state have known something of their aquicolal fellow-citizens.

Mr. Thoreau handles them as if he loved them, as old Izaak recommends us to do with a worm in impaling it. He is the very Asmodeus of their private life. He unroofs their dwellings and makes us familiar with their loves and sorrows. He seems to suffer a sea-change, like the Scotch peasant who was carried down among the seals in the capacity of family physician. He balances himself with them under the domestic lily-pad, takes a family-bite with them, is made the confidant of their courtships, and is an honored guest at the wedding-feast. He has doubtless seen a pickerel crossed in love, a perch Othello, a bream the victim of an unappreciated idiosyncrasy, or a minnow with a mission. He goes far to convince us of what we have before suspected, that fishes are the highest of organizations. The natives of that more solid atmosphere, they are not subject to wind or rain, they have been guilty of no Promethean rape, they have bitten no apple. They build no fences, holding their watery inheritance undivided. Beyond all other living things they mind their own business. They have not degenerated to the necessity of reform, swallowing no social pills, but living quietly on each other in a true primitive community. They are vexed with no theories of the currency which go deeper than the Newfoundland Banks. *Nimium fortunati!* We wish Mr. Thoreau would undertake a report upon them as a private enterprise. It would be the most delightful book of natural history extant.

Mr. Thoreau's volume is the more pleasant that with all its fresh smell of the woods, it is yet the work of a bookish man. We not only hear the laugh of the flicker, and the watchman's rattle of the red squirrel, but the voices of poets and philosophers, old and new. There is no more reason why an author should reflect trees and mountains than books, which, if they are in any sense real, are as good parts of nature as any other kind of growth. We confess that there is a certain charm for us even about a fool who has read myriads of books. There is an undefinable atmosphere around him, as of distant lands around a great traveller, and of distant years around very old men. But we think that Mr. Thoreau sometimes makes a bad use of his books. Better things can be got out of Herbert and Vaughan and Donne than the art of making bad verses. There is no harm in good writing, nor do wisdom and philosophy prefer crambo. Mr. Thoreau never learned bad rhyming of the river and the sky. He is the more culpable as he has

shown that he can write poetry at once melodious and distinct, with rare delicacy of thought and feeling.

"My life is like a stroll upon the beach,  
As near the ocean's edge as I can go,  
My tardy steps its waves sometimes o'erreach,  
Sometimes I stay to let them overflow.

"My sole employment 't is, and scrupulous care,  
To place my gains beyond the reach of tides,  
Each smother pebble, and each shell more rare,  
Which ocean kindly to my hand confides.

"I have but few companions on the shore,  
They scorn the strand who sail upon the sea,  
Yet oft I think the ocean they 've sailed o'er  
Is deeper known upon the strand to me.

"The middle sea contains no crimson dulse,  
Its deeper waves cast up no pearls to view,  
Along the shore my hand is on its pulse,  
And I converse with many a shipwrecked crew."

If Mr. Emerson choose to leave some hard nuts for posterity to crack, he can perhaps afford it as well as any. We counsel Mr. Thoreau, in his own words, to take his hat and come out of that. If he prefer to put peas in his shoes when he makes private poetical excursions, it is nobody's affair. But if the public are to go along with him, they will find some way to boil theirs.

We think that Mr. Thoreau, like most solitary men, exaggerates the importance of his own thoughts. The "I" occasionally stretches up tall as Pompey's pillar over a somewhat flat and sandy expanse. But this has its counterbalancing advantage, that it leads him to secure many a fancy and feeling which would flit by most men unnoticed. The little confidences of nature which pass his neighbours as the news slip through the grasp of birds perched upon the telegraphic wires, he received as they were personal messages from a mistress. Yet the book is not solely excellent as a Talbotype of natural scenery. It abounds in fine thoughts, and there is many a critical *obiter dictum* which is good law, as what he says of Raleigh's style.

"Sir Walter Raleigh might well be studied if only for the excellence of his style, for he is remarkable in the midst of so many masters. There is a natural emphasis in his style, like a man's tread, and a breathing space between the sentences, which the best of modern writing does not furnish. His chapters are like English parks, or say rather like a western forest, where the

larger growth keeps down the underwood, and one may ride on horseback through the openings."

Since we have found fault with some of what we may be allowed to call the worsification, we should say that the prose work is done conscientiously and neatly. The style is compact and the language has an antique purity like wine grown colorless with age. There are passages of a genial humor interspersed at fit intervals, and we close our article with one of them by way of grace. It is a sketch which would have delighted Lamb.

"I can just remember an old brown-coated man who was the Walton of this stream, who had come over from Newcastle, England, with his son, the latter a stout and hearty man who had lifted an anchor in his day. A straight old man he was who took his way in silence through the meadows, having passed the period of communication with his fellows; his old experienced coat hanging long and straight and brown as the yellow pine bark, glittering with so much smothered sunlight, if you stood near enough, no work of art but naturalized at length. I often discovered him unexpectedly amid the pads and the gray willows when he moved, fishing in some old country method,—for youth and age then went a fishing together,—full of incommunicable thoughts, perchance about his own Tyne and Northumberland. He was always to be seen in serene afternoons haunting the river, and almost rustling with the sedge; so many sunny hours in an old man's life, entrapping silly fish, almost grown to be the sun's familiar; what need had he of hat or raiment any, having served out his time, and seen through such thin disguises? I have seen how his coeval fates rewarded him with the yellow perch, and yet I thought his luck was not in proportion to his years; and I have seen when, with slow steps and weighed down with aged thoughts, he disappeared with his fish under his low-roofed house on the skirts of the village. I think nobody else saw him; nobody else remembers him now, for he soon after died, and migrated to new Tyne streams. His fishing was not a sport, nor solely a means of subsistence, but a sort of solemn sacrament and withdrawal from the world, just as the aged read their bibles."

ART. III.—A SCIENTIFIC STATEMENT OF THE  
DOCTRINE OF THE LORD, OR DIVINE MAN.

THE Christian doctrine of the Lord, or Divine Man, rests upon this fundamental axiom, that God alone is being, or life in Himself. Man is not being, but only a subject of being, only a form or image of being. His being is not absolute, but phænomenal, as conditioned in space and time. But God's being is utterly unconditioned either in space or time. It is infinite, not as comprehending all space, but as utterly excluding the bare conception of space; and eternal, not as comprehending all time, but as utterly excluding the bare conception of time. He is not a subject of being, but being itself, and therefore the sole being.

Consistently with this fundamental axiom, we are bound to deny that the creature of God has any being or substance in himself. The substantial being or life of every creature is God, while the creature is but a form or image of God. The creature is not another being than God, nor yet is he an identical being with God; because the creature is not being at all, but only a shadow or reflection of being. You would not call the shadow of the tree on the ground another substance than the tree itself, nor yet the same substance, for the reason that the shadow is not any substance at all, but merely the image of a substance. So man, the shadow or image of God, is neither a different being from God, nor yet an identical being, because he is not any being whatever but only the reflection of being. Thus God's creature is without any being or substance in himself, his selfhood being nothing more than an image or reflection of the only and universal being, which is God. The internal of every man is God. The external, or that which defines the man, defines his self-consciousness, is only a shadow or reflection of this internal.

These things being granted, which they must be as it seems to the writer, unless one prefers to deny the fact of creation, it follows from them that the universe of creation is a vast theatre of imagery or correspondence. If God be the sole and therefore universal being, his universal creature can be nothing more and nothing less than His image or shadow. And if the creature be only the image or shadow of God, then creation itself is not the origination of any new being or substance on the part of God, but only the revelation or imaging

forth of a being which is eternal and unchangeable. Thus in the light of the principles here stated, the created universe resolves itself both in whole and in part into an imagery or correspondence of God, and the universal science consequently, or the science of sciences, becomes the science of correspondence.

If now all this be true, if it be true that creation can be nothing more and nothing less than the revealing or imaging forth of God, then some momentous results immediately ensue to our theology and philosophy. Primarily it results that the true creature of God is not finite, cannot be comprehended within the laws of space and time. For as the creature is only an image or reflection of God, and as God being eternal and infinite is utterly ignorant both of time and space, so His true creature cannot be finited by these conditions. Thus the life of nature, or that life which lies within the laws of space and time, does not image God. The only life which does image Him consequently is one that transcends these laws, being a spiritual life, and this life belongs exclusively to man.

But in order to justify this affirmation, it is necessary to state what we mean by spirit as distinguished from sensible nature. In speaking of the spirit of a thing in contradistinction to the sensible thing itself, nothing else is meant than its distinctive genius, or faculty of operation. For example, the horse is an outward form discernible by my senses from all other natural forms. But there is something more in the horse than meets my eye, namely, a certain faculty or capacity of use, which constitutes his distinctive spirit or genius, and is cognizable only by the eye of my understanding. Thus what is spiritual about the horse is what lies within his material form, and constitutes his power or faculty of use. This faculty is different in the horse from what it is in every other animal, the cow, the sheep, the ox, the lion, the elephant, etc. Take another example from the sphere of the arts. My hat is an artificial form sensibly distinct from all other forms. But this outward or sensible form of the hat does not exist by itself. It embodies a certain use or function, namely the protection of my head, which use or function constitutes its spirit. In short the spirit of a thing is the end or use for which it exists. Thus you may take the whole range either of nature or the arts, and you will find everything existing for a certain use beyond itself, which use is the spiritual ground or justification of its existence. Nature is properly nothing more than the



robe or garment of spirit. It is only the tabernacle or house of spirit, only the subservient instrument or means by which spirit subsists and becomes conscious. Every thing in nature without any the most insignificant exception embodies an internal use or capacity of operation, which constitutes its peculiar spirit. Deprive it of this internal use or capacity not only actually or for a limited time, but potentially or for ever, and you deprive it of life. Exhaust the power of the horse to bear a burden and draw a load, of the cow to produce milk, of the sheep to produce wool, of the tree to produce fruit or seed, and you at the same time consign them all to death. For death, or the departure of the spirit from the body, means in every case the cessation of the subject's capacity of use. ✓ Thus nature in all its departments is merely the vehicle or minister of spirit. Its true sphere is that of entire subjection to spirit, and never since the world begun has an instance occurred of its failing to exhibit the most complete acquiescence in this subjection.

But if this spiritual force reside in Nature, what hinders any natural form being a true revelation or image of God? If for example the horse possess a spiritual substratum, why does not the horse image God? The reason is obvious. The spirit of the horse is not his own spirit. He is entirely unconscious of it. He performs incessant uses to man, but does not perform them *of himself*. His end is external to himself. The object of his actions does not fall within his own subjectivity. The spirit of universal nature is a spirit of subjection to some external power. It never manifests itself spontaneously, but always in obeisance to some outward constraint. Thus the horse does not spontaneously place himself in the harness. The cow does not come to your dairy, to make a spontaneous surrender of her milk. The sheep feels no spontaneous impulsion to deposite his fleece at your door. Nor does the tree inwardly shape itself in order to supply you with apples. In short there is no such thing as a spiritual horse—cow—sheep—or apple tree.

Sic vos non vobis nidificatis aves,  
 Sic vos non vobis vellera fertis oves,  
 Sic vos non vobis mellificatis apes,  
 Sic vos non vobis fertis aratra boves.

No, all these performances are for the benefit of man. The whole realm of nature is destitute of a spiritual consciousness, of such a consciousness as elevates any of its forms to the

dignity of a person. No animal is conscious of a selfhood distinct from its outward or natural limitations. No animal is capable of suicide, or the renunciation of its outer life, on the ground of its no longer fulfilling the aspiration of its inner life. Thus nature is destitute of any proper personality. The only personality it recognizes is man. To him all its uses tend. Him all its powers obey. To his endowment and supremacy it willingly surrenders itself, and finds life in the surrender. Take away man accordingly, and nature remains a clod, utterly spiritless — impersonal — dead.

Thus nature does not image or reveal God. For God's activity is not imposed. It is spontaneous, or self-generated. It flows from Himself exclusively, and ignores all outward motive. Hence God's true creature or image is bound above all things to exhibit that power of self-derived or spontaneous action which constitutes our idea of the divine personality.

Accordingly it is man alone who fulfils this requisition. Man alone possesses personality, or the power of self-derived action. Personality, the quality of being a person, means simply the power of self-derived or super-natural action, the power of originating one's own action, or, what is the same thing, of acting according to one's own sovereign pleasure. It means a power of acting unlimited by any thing but the will of the subject. Thus, in ascribing personality to God, we do not mean to assert for him certain bodily limitations palpable to sense, which would be absurd; we mean merely to assert His self-sufficiency or infinitude — His power to act according to His own sovereign pleasure. We mean, in plain English, to assert that He is the exclusive source of His own actions. So also, in ascribing personality to man and denying it to the horse, we mean to assert that man possesses the power of supernatural or infinite action, the power of acting independently of all natural constraint, and according to his own individual or private attractions, while the horse has not this power. Man's action, when it is truly personal, has its source in himself, in his own private tastes or attractions, as contradistinguished on the one hand from his physical necessities, and on the other from his social obligations; therefore we affirm man's personality, or his absolute property in his actions. Nature's action has not its source in any interior self, but in some outward and constraining power; therefore we deny nature any personality, any absolute property in its actions. When the fire burns my incautious finger, I do not

blame the fire, and why? Because I feel that the fire acts in strict obedience to its nature, which is that of subjection to me, and that I alone have been in fault, therefore, for reversing this relation and foolishly subjecting myself to it.

But now, if personality imply the power of self-derived or spontaneous action, then it is manifest that this power supposes in the subject a composite selfhood. It supposes its subject to possess an internal or spiritual self as the end or object of the action, and an external or natural self as its means or instrument. For clearly, when you attribute any action to me personally, or affirm my exclusive property to it, you do not mean to affirm that it was prompted by my nature, that nature which is common to me and all other men, but by my private taste or inclination. You hold that I have some internal end, some private object to gratify by it, and thereupon you declare the action mine. I repeat, then, that personality, or the power of self-derived action, supposes a dual or composite selfhood in the subject, a selfhood composed of two elements, one internal, spiritual, or private, the other external, natural, or public.

But this is not all. Personality, or the power of self-derived action, not only supposes this composite selfhood in the subject, not only supposes him to possess an internal self and an external self, but it also supposes that these two shall be perfectly united in every action which is properly called his. For example, I perform a certain action which you pronounce mine on the ground of its having visibly proceeded from my hand. Now I say, this is not sufficient to prove the action absolutely mine. In order to prove it absolutely mine, you must not only show that it was done by my hand or my external self, but also that this external self did not at the time dominate or overrule my internal self. If the two elements of my personality were not perfectly united, perfectly concurrent, in the action; if the internal self were overruled by the external, or *vice versa*; then the action is not truly mine, is not a legitimate progeny of my will and understanding, but a bastard or *filius nullius*, abhorred of God and man.

Let me precisely illustrate my meaning by a case in point. A certain man is murdered by me. You witness the deed and denounce me as a murderer. On my trial it is proved that the deceased stood in the way of a certain inheritance coming to me; that I had exhibited various marks of vexation at this circumstance, and had been heard to wish him out of the way, and even threaten to remove him myself. Your direct

testimony, backed by such evidence as to my state of mind with regard to the deceased, leaves no doubt as to my actual guilt. I am accordingly convicted and hanged. For all that the community wants to know is, which of its members actually committed the deed, that knowing this they may proceed to avenge it. The care of the state extends only to the outward or public life of its members, not to their inner or private interests. In making inquisition into the murder, it has no desire to decide as to my interior or spiritual condition; this it leaves to God, who sees the heart. It only seeks to know the actual perpetrator, that it may not punish the innocent for the guilty. Thus, in pronouncing the murderous deed mine, it does not mean to say that it pertains to me spiritually, but only outwardly or visibly; pertains to me, A. B., as outwardly distinguished from C. D., E. F., and the rest. To outward view, then, or in man's sight, the action is doubtless mine, and I submit my body to man's law. But now, admitting the deed to be thus far mine, admitting that I actually slew the man, and am therefore responsible to the extent of my natural life; is this deed necessarily mine to inward view also, or in God's sight?

I unhesitatingly say, No, and for this reason, that my internal or spiritual self and my external or natural self did not really *unite* in it, but the former was overruled by the latter? How "overruled"? I will show you.

Suppose me very much to dislike living in Germany, or any other of the old European states. The language, the manners, and the customs of the country are all foreign to my habit, and I do not spontaneously make my abode in it. But I am poor, with very few resources against natural want, and I hear of a fortune being left me in Germany, on condition of my going there to reside. I accordingly go. Now in this case my private or spiritual repugnance to this step was overruled by my natural necessities. If I had enjoyed an ample supply of these necessities, I should not have gone. My spiritual aversion to the step would not have allowed it. But I was absolutely destitute of provision for my natural wants, save at the expense of abject toil, which a man hates, and it was the outward or natural destitution, which constrained my spirit into obedience. Thus my spirit was overruled or dominated by my flesh, and the result consequently is that though to outward appearance or in man's sight I am in Germany, yet in

reality or in God's sight I am still in America — that though my body is in Germany, my spirit is a thousand leagues away.

This example illustrates what I mean by "overruling" in the case of the murder. I say that the action in this case, though apparently mine or mine in man's sight, as having been performed by my hand, was yet not really or spiritually mine, was not mine in God's sight, because in doing it my spirit was overruled by my nature, and did not yield a spontaneous concurrence. I desired a certain inheritance capable of relieving me from pressing natural want. The longer I felt the want, the more urgent grew my desire for that which would relieve it, until at last it overcame my internal or spiritual repugnance to murder so far as to allow me to slay him who alone stood in the way of its gratification. I am not attempting to palliate the enormity of the act. It is perfectly detestable in itself, and will always be so. I merely deny that my spirit and my flesh were *one* in it, which unity is necessary in every act that is spiritually mine. I merely assert that my spirit was *overruled* by my flesh to do this evil thing. The flesh gathered potency from want, from actual destitution, overruled or constrained the spirit to its ends, and the action consequently, instead of being really or intentionally mine, is referrible exclusively to what the theologians call a *depraved nature*, meaning thereby a nature disunited or inharmonic with spirit. The universal heart of man ratifies this judgment, or acquits me spiritually of the deed, when it commends me to the mercy of God. You have forfeited man's mercy, say they; betake yourself, therefore, to that of God, which is infinite, or open to all degrees of defilement.

No one dares forbid me, all red as I am with my brother's blood, from hoping in God. This is a fact full of meaning. The meaning of it is that we do not believe any man to be evil at bottom or in his inmost heart, but only from a lack of outward freedom. The meaning of it is that we consider none of our judgments final, since they extend only to appearances, but look to have them overruled and corrected by Him who sees the inmost heart, and judges therefore according to the reality. A divine instinct, in truth, in every soul of man, continually derides all our criminality as transient or unreal, so that no criminal ever shows himself so black as to make us feel that he is beyond God's power to bless. No man does evil save from the stress of nature or society, save from a false position with respect to his own body or to his fellow-man. ✓

Accordingly we never hesitate to consign the worst of criminals to the boundless clemency of God. If we really believed the man to be bad in himself, bad independently of his physical and social conditions, we should never dare send him to God. We should do all in our power to hide him from God, as from a devouring pestilence.

Here let us pause a moment to survey the ground we have traversed. We have seen that creation is but the revelation or imaging forth of divine personality. We have consequently seen that nature is incompetent to this revelation, because nature is destitute of personality, destitute of power to originate its own action. And finally we have seen that man is the only competent revelation or image of God, because man alone possesses personality. So far we have attained.

But now, from the definition given of personality, it is manifest that it is to be ascribed to man only in his very inmost or highest development, and not at all in his physical or social relations. For personality, when applied to any subject, affirms the subject's infinitude or perfection, affirms, in other words, the subject's entire sufficiency unto himself. It affirms his self-sufficiency or perfection, because it implies the power of originating his own action. He who has power to originate his own action is sufficient unto himself, and to be sufficient unto one's-self is to be infinite or perfect. Infinitude or perfection means self-sufficiency. I admit the words are often used by rote, or without any definite intention. But whenever they are used intelligently, they are designed to express the subject's self-sufficiency. We can form no conception of the divine infinitude or perfection other than is expressed by saying that He is sufficient unto Himself. And if we further ask ourselves what we mean by His being sufficient unto Himself, we reply instinctively that we mean to express His power to originate His own action. This power, which is inherent in God, is the basis of His personality or character, is that thing without which to our conception He would not be God, that is, would not be infinite or perfect. Had He not this power He would be finite or imperfect. His power, like that of nature, would be limited by something external to Himself.

If, therefore, personality, when applied to any subject, expresses his infinitude or perfection, expresses his self-sufficiency, it is manifest, as was said before, that it cannot be applied to man in every aspect of his subjectivity, namely, as

a subject either of nature or of his fellow-man, but only in his very highest aspect, which is that of a divine subject. For man's highest or inmost subjection is a subjection to God, which lifts him entirely beyond the sphere of necessity or duty, and indeed enables him, if need be, to lay off the bodily life and the friendship of men as easily as he lays off his garments at night. This subjection of man to God is involved in the very relation of Creator and creature. For the Creator being essential life, life in itself, cannot communicate life, save by communicating Himself, to the creature. And He cannot communicate Himself save in so far as the creature be made receptive, which receptivity becomes effected by means of the creature's natural and moral experience, the issue of which is to exalt him above nature and above society, endowing him with the lordship or supremacy of the external universe. Man's natural activity degrades or obscures his personality. It is not spontaneous — does not originate in his internal self, but in a mere necessity of his nature common to all its part-takers. Instead of expressing his distinctive personality, therefore, it expresses a common property of all men. Regarded as a subject of nature, therefore, man lacks personality, lacks at least all such personality as reflects the divine.

His moral subjectivity presents a similar fatal defect. Morality covers my relations to society or my fellow-man. Thus, as my natural action is conditioned upon a law of necessity, or of subjection to nature, so my moral action is conditioned upon a law of duty, or of subjection to my fellow-man. I act morally only in so far as I act under obligation to others, being morally good when I practically acknowledge, and morally evil when I practically deny, this obligation. Thus morality displays me in subjection not to God, but to society or my fellow-man, and thus equally with nature denies me proper personality. For personality implies the subject's absolute property in his action, which property is impossible unless the subject constitute also the object of the action, or, in other words, unless the object of the action fall *within*, be internal to, the subject's self, and this condition is violated when I act not to please myself, but to please my fellow-man. Hence neither man's natural nor his moral action confers a divine or perfect personality on him. The former does not because it displays him in subjection to nature. The latter does not because it displays him in subjection to his fellow-man. Both the moral and natural man are imperfect. Both fail to exhibit that bal-

anced or self-centred action, which is the exclusive basis of personality, and both alike consequently fail to express the DIVINE MAN, or accomplish the divine image in humanity.

But here it may be asked whether benevolence does not confer personality. Decidedly not, for the reason that benevolent action is not spontaneous, but purely sympathetic. Personal action—all action which warrants the ascription of personality to the subject—is of necessity spontaneous, or inwardly begotten. I say of necessity, because action which is outwardly begotten, or originates in something foreign to the subject, does not pertain to him absolutely but only partially, pertains to him only as he stands involved in nature or society. Now sympathetic action evidently falls under this latter category, being begotten not from within but from without the subject's self, as the etymology of the word indicates. It supposes a want on the part of somebody not the subject, disposing the latter to relieve it. If, therefore, you take away suffering from all others, you take from the benevolent subject all power of action. And surely no one will consider that is a divine or perfect personality, whose power of action is controlled by circumstances foreign to himself.

Thus the fundamental requisite of personality, namely, that it attest the subject's self-sufficiency or perfection by exhibiting in him the power of self-derived action, is necessarily made void in all purely benevolent action. And the inevitable conclusion therefore is that the benevolent man, as such, does not possess true personality, or is incompetent to image God.

Who, then, is the true divine man? Who of all mankind possesses personality, and thus constitutes the image of God in creation? Evidently it must be some one who unites in himself, or harmonizes, all those finite or imperfect men. For the divine man does not exclude the natural man, nor the moral man, nor the sympathetic man, nor any other phasis of humanity. These are all constituent elements of the human nature, and the perfect man is bound not to exclude but accept them, blending and reconciling all in his own infinite manhood, in his own unitary self. These men are the geometric stones of the divine edifice of humanity; they are by no means the edifice itself, but its indispensable *material*, and he therefore who should attempt to construct the edifice to their exclusion, would necessarily have his work about his ears.

Who, then, is the perfect or divine man, the man who actually reconciles in himself all the conflicting elements of hu-



manity? Is any such man actually extant? If so, where shall we find him?

We find him in the æsthetic man, or Artist. But now observe that when I speak of the æsthetic man or Artist, I do not mean the man of any specific function, as the poet, painter, or mariner. I mean the man of whatsoever function, who in fulfilling it obeys his own inspiration or taste, uncontrolled either by his physical necessities or his social obligations. He alone is the Artist, whatever be his manifest vocation, whose action obeys his own internal taste or attraction, uncontrolled either by necessity or duty. The action may perfectly consist both with necessity and duty; that is to say, it may practically promote both his physical and social welfare; but these must not be its animating principles, or he sinks at once from the Artist into the artisan. The artisan seeks to gain a livelihood or secure an honorable name. He works for bread, or for fame, or for both together. The Artist abhors these ends, and works only to show forth that immortal beauty whose presence constitutes his inmost soul. He is vowed to Beauty as the bride is vowed to the husband, and beauty reveals herself to him only as he is true to his inmost soul, only as he obeys his spontaneous taste or attraction.

The reason accordingly why the painter, the poet, the musician, and so forth, have so long monopolized the name of Artist, is, not because Art is identical with these forms of action, for it is identical with no specific forms, but simply because the poet, painter, and so forth, more than any other men, have thrown off the tyranny of nature and custom, and followed the inspirations of genius, the inspirations of beauty, in their own souls. These men to some extent have sunk the service of nature and society in the obedience of their own private attractions. They have merged the search of the good and the true in that of the beautiful, and have consequently announced a divinity as yet unannounced either in nature or society. To the extent of their consecration, they are priests after the order of Melchisedec, that is to say, a priesthood, which, not being made after the law of a carnal commandment, shall never pass away. And they are kings, and reign by a *direct* unction from the Highest. But the priest is not the altar, but the servant of the altar; and the king is not the highest, but the servant of the Highest. So painting, poetry, is not Art, but the servant and representation of Art. Art is divine, universal, infinite. It therefore exacts to itself infinite

forms or manifestations, here in the painter, there in the actor; here in the musician, there in the machinist; here in the architect, there in the dancer; here in the poet, there in the costumer. We do not therefore call the painter or poet, Artist, because painting or poetry is a whit more essential to Art than ditching is, but simply because the painter and poet have more frequently exhibited the life of Art by means of a hearty insubjection to nature and convention.

When, therefore, I call the divine man, or God's image in creation, by the name of Artist, the reader will not suppose me to mean the poet, painter, or any other special form of man. On the contrary, he will suppose me to mean that infinite and spiritual man whom all these finite functionaries represent, indeed, but whom none of them constitutes, namely, the man who in every visible form of action acts always from his inmost self, or from attraction, and not from necessity or duty. I mean the man who is a law unto himself, and ignores all outward allegiance, whether to nature or society. This man may indeed have no technical vocation whatever, such as poet, painter, and the like, and yet he could be none the less sure to announce himself. The humblest theatre of action furnishes him a platform. I pay my waiter so much a day for putting my dinner on the table. But he performs his function in a way so entirely *sui generis*, with so exquisite an attention to beauty in all the details of the service, with so symmetrical an arrangement of the dishes, and so even an adjustment of every thing to its own place, and to the hand that needs it, as to shed an almost epic dignity upon the repast, and convert one's habitual "grace before meat" into a spontaneous tribute, instinct with a divine recognition.

The charm in this case is not that the dinner is all before me, where the man is bound by his wages to place it. This every waiter I have had has done just as punctually as this man. No, it is exclusively the way in which, it is set before me, a way altogether peculiar to this man, which attests that in doing it he is not thinking either of earning his wages, or doing his duty towards me, but only of satisfying his own conception of beauty with the resources before him. The consequence is that the pecuniary relation between us merges in a higher one. He is no longer the menial, but my equal or superior, so that I have felt, when entertaining doctors of divinity and law, and discoursing about divine mysteries, that a living epistle was circulating behind our backs, and quietly

ministering to our wants, far more apocalyptic to an enlightened eye than any yet contained in books.

The reader may deem the illustration beneath the dignity of the subject. The more is the pity for him in that case, since it is evident that his eyes have been fixed upon the shows of things, rather than upon the enduring substance. It is not indeed a dignified thing to wait upon tables. There is no dignity in any labor which is constrained by one's necessities. But still no function exists so abject or servile as utterly to quench the divine or personal element in it. It will make itself manifest in all of them, endowing them all with an immortal grace, and redeeming the subject from the dominion of mere nature and custom.

But whether the illustration be mean or not, it is fully to the point. The divine life in every man, the life which is the direct inspiration of God, and therefore exactly images God, consists in the obedience of one's own taste or attraction, where one's taste or attraction is uncontrolled by necessity or duty, by nature or society. I know that this definition will not commend itself to the inattentive reader. But let me leave my meaning fully expressed. I say, then, that I act divinely, or that my action is perfect, only when I follow my own taste or attraction, uncontrolled either by my natural wants or my obligations to other men. I do not mean that I act divinely when I follow my attractions to the denial of my physical wants and my social obligations; but only in independence of them. If these things control my action, it will not be divine.

For example, I have what is ordinarily called a great love of luxury. That is, I have a spontaneous desire after all manner of exquisite accommodations for my body. I desire a commodious and beautiful house, graceful and expressive furniture, carriages and horses, and all the other appliances of easy living. But I lack the actual possession of all these things. I am utterly destitute of means to procure them. Yet my inextinguishable love for them prompts me incessantly to action. Now you perceive that my action in this case, being shaped or controlled by my want of all these things, cannot be free or spontaneous, cannot be divine as expressing myself alone. It will in fact be thoroughly servile. It will be abject toil instead of free action. That is, I shall probably begin by some low manual occupation, such as sawing wood or portrage. I shall diligently hoard every penny accruing from my occupa-

tion not necessary to my subsistence, that I may in time arise to a more commanding vocation, in which I may realize larger prices, and so on until I shall have at length attained my wishes, and achieved the necessary basis of my personality. This action, then, is completely undivine; it does not originate in myself as disengaged from nature and my fellow-man, but in myself as still involved in subjection to them, and burning to become free. So long as this condition of bondage lasts, you may be very sure that my action will be the action of a slave, and that the deference I pay to morality will be purely prudential. If the great end, which is my personal emancipation, can be better secured by strict attention to its maxims, of course I shall observe them. But if not, I shall be likely to use *meum* and *tuum* quite indifferently, feeling, as the children of Israel felt on the eve of their emancipation from Egypt, that the spoils of the oppressor are divinely due to the oppressed.

But now, on the other hand, suppose my emancipation accomplished; suppose me in possession of all natural good, and of all social privileges; suppose, in a word, that I am no longer in bondage to nature or society, having secured ample wealth and reputation, and become free, therefore, to act according to my own sovereign taste; then you perceive, at a glance, that this love of luxury in my bosom, instead of leading me merely to the accumulation of wealth, would prompt me exclusively to creative action, or a mode of action which would enrich the community as much as myself. For, having now all that nature and society yielded for the satisfaction of this love, the love would not thereupon become extinct or satiated: on the contrary, it would burn all the brighter for the nourishment it had received, and impel me, therefore, to new and untried methods of gratifying it. Thus, instead of a mere absorbent or consumer, which my natural and social destitution rendered me, I should now become an actual producer of new wealth; a producer, too, whose power would be as infinite as the love which inspired it was infinite, being derived from the infinite God Himself.

A man, then, does not truly act at all, does not act in any such sense that the action may be pronounced absolutely *his*, so long as his personality remains undeveloped; so long as he remains in bondage to nature or society. Before he can truly act or show forth the divine power within him, he must be in a condition of perfect outward freedom, of perfect insubjection to nature and society; all his natural wants must be

supplied, and all social advantages must be open to him. Until these things are achieved his action must be more or less imperfect and base. You may, indeed, frighten him into some show of decorum by representations of God as an infallible policeman, intent always on evil-doers, but success in this way is very partial. The church itself, in fact, which authorizes these representations, incessantly defeats their force by its doctrine of absolution, or its proclamation of mercy to the most successful villainy, if only repentant at the last gasp. Not only the church, but the whole current of vital action defeats these safeguards. Thus, our entire system of trade, as based upon what is called "unlimited competition," is a system of rapacity and robbery. A successful merchant like Mr. A. or B. is established only on the ruins of a thousand unsuccessful ones. Mr. A. or B. is not to be blamed individually. His heart is destitute of the least ill-will towards the man whom, perhaps, he has never seen, but whom he is yet systematically strangling. He acts in the very best manner society allows to one of his temper, or genius. He feels an unmistakably divine aspiration after unlimited power; a power, that is, which shall be unlimited by any outward impediment, being limited only by his own interior taste or attraction. He will seek the gratification of this instinct by any means the constitution of society ordains: thus, by the utter destruction of every rival merchant, if society allows it.

So much for Mr. A. or B. regarded as in subjection to nature and society, or as still seeking a field for his personality. But this is not the final and divine Mr. A. or B. The final and divine Mr. A. or B. will have subjected both nature and society to himself, and will then exhibit, by virtue of that very force in him, which is now so destructively operative, a personality of unmixed benignity to every one. The voice of God, as declared in his present instincts after unlimited power, bids him as it bade the Israelites of old, to spoil the oppressor, to cleave down every thing that stands in the way of his inheritance. But suppose him once in possession of that inheritance; suppose him once established in that good land which flows with milk and honey, and which God has surely promised him, and you will immediately find the same instinct manifested in measureless and universal benediction.

The Artist, then, is the Divine Man, — the only adequate image of God in nature, — because he alone acts of himself, or finds the object of his action always *within* his own subjectivity.

He is that true creature and son of God, whom God pronounces very good and endows with the lordship of the whole earth. It would not be difficult, in the writer's estimation, to show the reason why the evolution of this man has required the whole past physical and moral experience of the race, nor yet to show how perfectly he justifies all the historic features of Christianity, standing symbolized under every fact recorded in the four gospels concerning the Lord Jesus Christ. In some other place, or at least on some future occasion, the writer will undertake these tasks. L

---

#### ART. IV. — VALIDITY OF INSTRUMENTS AND CONTRACTS EXECUTED ON SUNDAY.

It is often said, especially when conversation takes a jocular turn, that among the old "Blue Laws" of Connecticut, or rather of New Haven, was one which forbade husbands to kiss their wives, or mothers to caress their children, on Sundays. The prohibition to eat mince pies on Christmas is perfectly authentic, but no such Sunday act as that above referred to anywhere now appears of record. The circulation of the story must be explained as what the Germans call a *myth*, embodying the popular idea of the special stringency of Connecticut Sunday legislation. That species of legislation, however, was and is by no means confined to Connecticut, or even to New England. There is no more lasting and widely diffused memorial of the partial, but by no means inconsiderable, success of the Puritans, in their memorable effort to reconstruct society upon the Jewish model, than the laws for the observance of "the Lord's day," which still maintain their place in the English and Scottish statute books, and which are yet to be found, in all their Jewish glory, among the existing legislative enactments of nearly every state in our American union. We must except, however, French Louisiana, and possibly one or two of the newer states.

It does not appear that before the time of the Puritans, any Christian community ever found it necessary to enforce by law so strict an observance of the Sabbath. Christianity, as it gradually supplanted Paganism, adopted many of its forms. Instead of imitating the austere, unsocial, unproductive Jewish

observance of Sunday, which consisted, so far, at least, as the law of Moses goes, in mere idleness, the more agreeable custom of the Pagans was adopted, among whom the solemn days were festivals, in which to religious worship were added games, amusements, and social intercourse. For an observance of Sunday like this, the natural disposition of men towards worship and social enjoyments was a sufficient guarantee without laws. To enforce an observance according to Puritanico-Jewish ideas, it is no wonder that laws became necessary. We are not aware, indeed, that any of our Anglo-Saxon communities, whose natural temperament, by the way, — harsh, domineering, rapacious, enthusiastic, and exclusive, — peculiarly adapted them for imbibing and reproducing Jewish ideas, ever went the length of enacting that the man who gathered sticks on the Sunday should be stoned, though "the great Cotton" did go the length of proposing such a law for Massachusetts; but they did provide, by enactments sufficiently stringent, for the exclusive devotion of the day to the propagation of Puritan ideas. By being put into the stocks on Sunday, — to say nothing of the discipline of week-days, — children, under this system, were gradually tormented into sufficient harshness of disposition and unfeeling austerity to qualify them for keeping up the system by inflicting on their own children what they, as children, had suffered.

In practice, as Puritanism has gradually faded out, these laws have lost a good deal of their efficacy, and are more and more, every day, disregarded with impunity. Massachusetts, especially, is greatly indebted to her Supreme Court for obstacles put in the way of those fanatics, who, from time to time, filled with new impulses of zeal, strive to avail themselves of existing enactments to go back towards the old theocracy which ruled this goodly state during the first sixty years of its colonial existence. In the year 1816, or thereabouts, at a time when Parker and Jackson sat together on the bench, shocked by the increase of Sunday travelling, some of our modern Puritans undertook to arrest all Sunday travellers, and, under a statute still in force, to subject them for their sins to certain penalties. But the Supreme Court put a damper on these proceedings by deciding, (13 Mass. R., 324, *Pearce vs. Atwood*,) in spite of the able argument on the other side by the late Governor Strong, that to issue a warrant and make arrests on Sunday for breach of the Sunday laws were just as much prohibited under the statute as any other

species of secular labor. They accordingly sustained an action for damages against a justice who had undertaken to issue these Sunday warrants, thus giving a very fair specimen of judicial adroitness in hanging fanaticism with its own rope. Two or three years before, while Parsons still sat on the bench, a person who had been cheated out of a debt in Connecticut, by the decision of the Supreme Court of that state that contracts made on Sunday were not binding, undertook to profit by his experience of Connecticut law and gospel, by setting up the same defence in Massachusetts, to a note which he himself had signed on Sunday, very likely with the intention, at the time of signing, of thereby escaping payment. The lawyer who set up this defence — Lincoln, afterwards himself a judge, and subsequently Governor of the state, — (10 Mass. R., 312, *Geer vs. Putnam*,) seemed rather ashamed of it, excusing himself by the express instructions of his client, founded on his experience in Connecticut; and the Court, apparently without any argument, — Parsons recollecting that the same defence had been raised and overruled in another county, — summarily disposed of the matter by deciding against the objection. This decision was expressly approved in a subsequent case, (16 Pick., 247, *Clap vs. Smith*); and so in this commonwealth, until very recently, the law was supposed to stand.

There is, in fact, no little need, in democratic as well as in aristocratic or monarchical governments, for learned, judicious, and liberal courts gradually to make those modifications in the law which enlightenment requires. If English jurisprudence has been gradually changed from a system of barbarous usages into a code which, on the whole, will stand favorable comparison with any that ever existed, that change is far more due to the courts than to the legislators. In spite of the ignorance, the negligence, in many cases in spite of the obstinate prejudices and opposition of the legislators, the English courts have gradually transfused into the dry, narrow, technical body of the Saxon-Norman feudal law, those comprehensive principles of equity first clearly expounded by the Roman juriconsults and transmitted to us in Justinian's code, and along with them the usages of modern commercial Europe, not less admirable for their justice and good sense, which constitute the mass of our mercantile law. To accomplish beneficent purposes like these, and at the same time to escape the imputation of setting the legislative will at defiance, the courts have often been



obliged to resort to pretty sharp constructions, indeed to lay down a system of rules for judicial interpretation liable, in certain respects, to the charge of quibbling and hair-splitting; sometimes sadly abused; but generally made use of for the defence of right and justice against the brute force of absurd or ignorant legislation. Craft, indeed, in the order of nature, is the weapon of the shrewd and weak against the tyranny of the ignorant and strong. But our courts, if they have often been as subtle as serpents, have also, for the most part, to their honor be it said, been as harmless as doves.

There was and is, in the case of the Sunday laws now under consideration, the more justification for the employment of a little legal craft,—just as much a vested right and constitutional authority on the part of the courts, as that of making statutes is on the part of the legislature, because our legislators are actually afraid to do that in the matter to which their own sense of propriety, their own private inclination, and the inclination, in fact, of the great mass of the public, would naturally lead them. Which party soever happens to be in power, it does not choose, by proposing the repeal of these laws and others of a like character, to give to its opponents the opportunity to open against it the floodgates of religious prejudice and objugation. The fear of party leaders to draw down upon themselves the furious assaults of a small band of fanatics actually keeps on our statute books a very considerable number of laws, unhappy legacies of times past, which, if now attempted to be enacted for the first time, could not get one voice in ten in their favor. A court which supplies the timidity of the legislature by substantially nullifying such laws, does in reality but carry out the will of the people. It is, indeed, this carrying out of the popular will, this embodying into the law the enlightened public sentiment of the day, which forms the true justification of that which some “pseudo-democrats” have denounced under the name of “judicial legislation,” but which, notwithstanding, belongs to the best legislation we have had, and making, as it does, a part of our legal and constitutional system, is just as legal and constitutional as any other.

Timidity, however, is not exclusively the fault of legislators. Judges, notwithstanding the life term for which they hold their offices, are apt to be affected by it. A man of great and surpassing genius,—a Mansfield for instance,—will sometimes march boldly ahead and draw the public after him, but it is very seldom that a Mansfield sits upon the bench; and

when he does, the common-place judges that come after, often employ themselves in undoing a part of his work by revising and reversing, as far as they dare, his innovating decisions.

It has often been vehemently charged against Chief Justice Parsons, the greatest legal genius that ever adorned the New England bench, that his law was tainted and perverted by his liberal theology. The sticklers for old doctrines can never forgive him for having vindicated the right of our congregational churches to change their religious opinions without thereby forfeiting to the use of an orthodox minority, their name, their property, their organization, and their rights. A different decision was made in New Jersey; and by Lord Brougham also, whose strong disposition in favor of minorities, especially if it be a minority of one, has been of late so fully developed; but the substantial injustice of my lord chancellor's decision, though the sufferers by it were the most unpopular sect in the kingdom, to wit, the Unitarians, was so fully apparent, that the mischief of it was speedily remedied by a special act of parliament.

We may be mistaken, but two recent decisions of our supreme Court, (*Pattee vs. Greeley*, *Robeson vs. French*, the one in 1848, the other in 1846, not yet officially reported, but to be found in the monthly Law Reporter for October, 1848, and January, 1849,) look to us very much like a judicial attempt to propitiate the three-headed Cerberus of Massachusetts orthodoxy. These two decisions overturn, at least for the present, the doctrine above referred to, laid down by Parsons, and supported by the Supreme Court of his time, that a contract made on Sunday is just as binding as that made on any other day. It was held in the first of these cases, (the second in order of trial,) that a bond executed on Sunday, there being nothing to show that its execution on that day was a work of necessity or charity, was void; and in the second, that no action would be sustained on a warranty of a horse sold on Sunday, the sale on that day being prohibited by statute, and therefore not a bargain for the enforcement of which the courts would interfere,—a decision of which doubtless horse-jockeys will extensively avail themselves to make their trades on Sunday.

The statute which has been made the occasion of these innovations upon our Massachusetts law prohibits "any person from keeping open his shop, warehouse, or workhouse, or doing any manner of labor, business, or work, except only works of

necessity and charity, or being present at any dancing or any public diversion, show, or entertainment, or taking part in any sport, game, or play on the Lord's day," under a penalty of ten dollars.

The argument of the Court is, that executing a bond, or making a contract falls under the category of "labor, business, or work"; and is therefore prohibited, and that, according to a well-established principle of the law, all contracts contrary to morality, or made in the face of express statutes are *ipso facto* void, and of course not to be enforced. In the application of this principle to contracts made on Sundays, the court is sustained, not only by the practice of Connecticut, (2, Conn. R., 560, *Fox vs. Abel*,) but by decisions of the courts in several other states. In New York, a different doctrine is held; but the New York statute is different from that of Massachusetts in its phraseology, referring only to "servile labor" and "exposing goods for sale." Vermont, (6, Verm. R., 219, *Lyon vs. Strong*, 19th, 352, *Adams vs. Gay*); New Hampshire, (9, New Hamp. *Clough vs. Davis*,) and Pennsylvania, (6, Watts 281, *Kefner vs. Keefer*; 2 Miles, 402, *Burrell vs. Smith*; and 3, Watts and Serg. 402, *Fox vs. Minch*,) go with Connecticut; and the same is the case with Alabama. The like doctrine is also upheld by several recent English decisions, though prior to the enactment of the English Sunday statutes in Charles II.'s time, it had been held during the reign of Elizabeth, that contracts made on Sunday were, by the common law, good and binding. Had the court been really desirous of upholding the former doctrine on the subject; had they been totally unswayed by the tempting opportunity of exhibiting in the eyes of their orthodox fellow-citizens, their judicial and theological impartiality, it would not seem to have required any great stretch of legal acuteness to have sustained them in doing so. First, they had two decisions of our now Supreme Court, and one in New York quite equal here in Massachusetts in weight of authority to Connecticut, New Hampshire, Vermont, Pennsylvania and Alabama, reinforced though they are by similar decisions on the part of some recent English "evangelical" judges. As to the argument, it might have been said that this was a penal statute; a statute in abridgement of the natural liberty of mankind, trenching, also, very close on the constitutional provisions in favor of religious liberty, and therefore not to be stretched beyond the very letter. The intention of the framers, very likely, was to pro-

hibit every thing on Sunday except praying, preaching, and godly meditation. Indeed, as this enactment may be traced back on our statute book, even to the very days of the Blue Laws, probably enough of the original framers of it might have considered the very caressing of wives and children, above referred to, as included under the head of "sport, game, or play." It is even quite likely that stern old Wilson, and hard old Davenport would have pronounced the Sunday services in some of our Orthodox churches of to-day, in which a hired choir of perhaps theatrical singers is followed by a studied and elaborate specimen of evangelical rhetoric, as little better than "a public diversion, show, or entertainment," and therefore as falling within the prohibition of this law. But in construing such a statute as this, it is quite sufficient to follow the letter. That letter has imposed no penalty on bargains or contracts made on the Lord's day. It is the physical labor, the weighing or measuring of the goods, the writing or signing of the contract, which the law prohibits, not the mere mental consent in which the essence of the contract consists. Thus, for example, our law prohibits a marriage without the publication of bans, and imposes a penalty on the person celebrating it; but the marriage is good and valid nevertheless. In this case of Sunday contracts, as in that of the marriage, the argument based on the inconvenience of the opposite decision is very strong. We know it has been said to be a maxim of the courts, and has even been avowed by some great jurisconsults, that decisions ought to be made not merely with a view to right and justice, but also with an eye to the benefit of the profession. Hence, the courts have been apt to insist, in matters of conveyances, for instance, on certain niceties and quibbles which render it impossible for such documents to be safely made without the assistance of some gentleman learned in the law. Nevertheless it might have been argued that the manifold doubts and uncertainties, and the multiplication of lawsuits likely to grow out of the contrary doctrine, was a sufficient reason for upholding the position hitherto maintained in this Commonwealth as to the validity of Sunday contracts. Some fruits of those doubts, we have already begun to reap. Thus we have recently seen a remarkable attempt to upset a will, in which the property at stake amounted to half a million or more, including a donation of a hundred thousand dollars to the observatory at Cambridge, on the sole ground that the will was executed on Sunday. We say the sole ground, for

though some pretences were set up of the incapacity of the testator, that part of the case broke down so completely that the lawyers must evidently have relied principally on the other. They failed, however, to satisfy the jury that the will was actually made on Sunday, and so the question of its invalidity on that ground was never reached. Had it been, it is not difficult to imagine the course of argument on either side; we will for the reader's amusement briefly indicate it. It would have been attempted to take the case out of the range of *Pattee* and *Greeley*, by setting up that the making of a will must always be regarded as a work of necessity. No man knows when he may die. He is as likely to die on Sunday as on any other day in the seven, and if his will remains unmade till the Sunday begins, he must make it then or not at all. It would have been argued besides, that, in this particular case, by reason of the legacy to the observatory, their particular will was a work of charity, as, indeed, all wills, in a certain sense, may be said to be, and we should have had some wondrous flights of rhetoric about the connection between astronomy and navigation, the longitude, ship-wrecks, and tempest-tost mariners. On the other side it would have been closely argued,—and the argument would have been very hard to get over,—that whether or not there was any necessity for making a will on Sunday must be tested by the court. That if a man, under apprehension of present death, or impressed with the precariousness of life makes his will on Sunday, and actually dies before Monday comes, or is smitten with a mortal sickness or incapacity of mind or body, which leaves him no secular hours thereafter in which he is in a fit state for business, then, indeed, it may be truly said there was a necessity to make the will on Sunday. But if he survives till Monday, in good health, there was, in fact, no such necessity, and the will is void. Then, again, as to the charity, the acts intended to be excepted by the law, evidently were such as carry with them a certain instant necessity, also, and not such acts as might just as well be postponed to the next day. Something like this would probably have been the line of argument, but, as we have seen, that matter is still left in doubt.

Meanwhile other doubts have been raised of a character truly distressing, liable to overwhelm the tender consciences of amiable formalists with the most poignant alarm, to shake the fortunes of many families, and to sow law-suits broadcast over the land.

It is well known to have been long the practice in New England, and the same practice exists in other States, for a very considerable proportion of marriages to be celebrated on Sunday. Some very scrupulous ministers we have heard of, worthy to sit at the right hand and to receive the honor of being standing chaplains to our Supreme Court, who, looking upon marriage as the law looks upon it, merely as a civil contract, and withal a somewhat carnal contract too, have refused to marry on Sundays; but these samples have been far from common. The doubt raised, and a very serious doubt too, is whether, according to the doctrine of *Pattee vs. Greeley*, all these marriages are not void, the parties liable to the state prison as guilty of lascivious cohabitation, the children bastards, not capable of inheriting, and all the distribution of property heretofore made under pretence of inheritance, among the children of such marriages, void and illegal. A learned gentleman who has volunteered in a recent number of the Law Reporter in defence of *Pattee vs. Greeley*, freely admits that all these horrible consequences must inevitably follow, and the cool composure with which he contemplates them, amply vindicates his claim to a very high seat in the Calvinistic synagogue. He who anticipates with complacency the eternal damnation of infinite thousands is quite raised above the weakness of troubling himself about the little evils of this world. Horrible as these consequences are, it will require more legal ingenuity than we have seen any recent exhibition of, to escape from them as inevitable consequences of the doctrine laid down in *Pattee vs. Greeley*.

There is, however, one view of the matter which seems wholly to have escaped the attention of the learned court, as well as of the learned gentlemen who have commented on this decision — a view which, as it strikes us, must prove fatal not only to the case of *Pattee vs. Greeley*, but to a considerable number of other cases in the reports of our own and other states, in which the state courts have undertaken to nullify contracts on the ground that they were made in contravention of state laws.

It has been very wisely provided in the Constitution of the United States, — and this provision has been guarded with watchful jealousy, as one of the Hesperidian apples of that instrument, by the United States Supreme Court, — that no state shall pass “any law impairing the obligation of contracts.” So far forth, then, as the state Sunday laws operate or are intended to operate, either directly or by implication,

to impair the obligation of any contract binding on the general principles of the law of contracts, such statutes are unconstitutional and void. The states, by consenting to this clause in the federal constitution, relinquished the power of employing the rescindment or nullification of contracts as one of the sanctions of their penal laws. If the states have the power to make a law invalidating all contracts made on Sunday, then, by extending this principle to each day of the week, one after the other, they may invalidate all contracts. If, under cover of a penal law, they can nullify any particular kind of contract, then, by inflicting a penalty of five dollars on the making of any contract at all for the payment of money or the doing of any particular thing *in futuro*, they may cut up the whole law of contracts by the roots.

The Supreme Court of the United States have taken a just distinction between the obligation of a contract and the remedy for its enforcement. The states have a right to modify the remedy, but they have no right to impair the obligation, either by taking away the remedy altogether, or by declaring such and such contracts not binding, which, but for such special acts of legislation, would have been so. This plainly does not touch the case of bargains which are void because they are against good morals; where the invalidity does not arise out of a particular statute, but out of the general principles of the law. The clause in the Constitution which deprives the state legislatures of the right of nullifying contracts, still leaves that power in the hands of the courts, to be exercised, however, not as the instrument and at the will of the legislature, but by their own inherent authority, and only according to the dictates of eternal justice.

This is not a case which requires or admits of much argument. The whole matter lies in a nut-shell. It is only necessary to put the clause in the Constitution and the Sunday act of our legislature, as expounded and understood by the court, in juxtaposition, to see that they cannot stand together so far as to have any effect upon contracts. Here is a contract binding *in foro conscientiae*, and if there is any thing really sacred or peculiar in Sunday, then for that very reason, in the sight of God, still more binding; here is a contract good according to the general principles of morals, and good by the common law independently of statute modification, and here comes in a state law and declares that contract void! If this is not a law impairing the obligation of contracts, it is exceedingly difficult

to imagine what would be. If this view of the case be correct, — and we feel great confidence that the Supreme Court of the United States, on a writ of error, would sustain it, — it saves the horse-trades and the marriages ; but as a will is no contract, being a mere gift or grant to operate *in futuro*, Sunday wills would still be left in jeopardy. It is probable, however, if the rest of their doctrine on this subject were thrown overboard, in disgust at this forced abandonment of antiquated austerities, or perhaps secretly rejoicing at it, the Court would discover some way of releasing themselves from the necessity of preventing people from making wills on Sunday.

Apart, indeed, from this objection founded on the Constitution of the United States, it seems to us quite impossible to reconcile the Sunday laws and some others existing on our statute book with the provisions of the Constitution of Massachusetts. We know that the Supreme Court of Pennsylvania have, by a recent decision, sustained the constitutionality of the Sunday laws of that state. We admit, also, that the reasoning of our own Supreme Court, in the case of *Commonwealth vs. Kneeland*, would go the whole length of sustaining the Sunday laws, and of hanging people for heresy, too, had that old colonial law happened to have remained on our statute book. But in the whole multitudinous volumes of the Massachusetts reports, there is not a worse reasoned or weaker case than *Commonwealth vs. Kneeland*, as we hope to take some early opportunity to show.

---

ART. V. — *European Agriculture and Rural Economy. From Professional Observation.* By HENRY COLMAN, Honorary Member of the Royal Agricultural Society of England, of the National Agricultural Society of France, and of the National Agricultural Society of the United States. 1849. Boston: Little & Brown. London: John Petheram. 2nd Edition: 2 vols. 8vo. pp. xxvi. and 492, and xxiv. and 588.

THE agricultural mission of Mr. Colman to Europe we consider as a favorable sign of the times. Much the greater part of Mr. Colman's work is devoted to English agriculture, or that of the United Kingdom, where improvement has advanced with the most rapid pace and on the largest scale.



Mr. Colman's object was to give as full and accurate an account as was practicable of the Agriculture and Rural Economy of the United Kingdom, and of several states on the continent. His residence abroad for more than five years, and his extensive and intimate acquaintance with the most intelligent landholders and farmers, distinguished for their practical skill, and his opportunities for observation, gave him greater advantages for a thorough knowledge of his subject, than have been enjoyed by any of his countrymen. His great care to avoid any approach to a violation of the confidence of social life is very commendable, and forms quite a contrast to the practice of some American tourists.

Mr. Colman has long been well known to the public as an author in more than one department of knowledge ; but for some years past he has devoted his attention to agriculture as a practical farmer, and more especially to collecting agricultural information, and diffusing it among his fellow-citizens by his various publications.

For some years he was the Commissioner of Agriculture for the State of Massachusetts, until, from an ill-judged economy, as we thought, the office was abolished. Perhaps, however, this is not to be regretted, if it has been the cause of his agricultural tour in Europe, to which we owe the two volumes before us. Mr. Colman remarks :

"I am not for the first time on trial before the public. It is now approaching forty years since I first interested myself in the improvement of the agriculture of my country ; and during that whole time, few months have passed without some contributions on the subject from my pen to the public press. Whether, therefore, my writings are practical or not, the public have ample opportunity to judge."

"I claim no merit for myself but that of being a careful collector of what I deem valuable facts within my own or the agricultural experience of others ; and of stating these facts truly and perspicuously. I have carefully avoided all speculations and theories not fully confirmed ; and my constant study has been to make my statements intelligible to the humblest, and, if possible, at the same time, attractive to persons of cultivated minds. I have been most anxious to raise the profession of agriculture from its low estate to its proper dignity, as a humane and intellectual profession."

Many agricultural experiments have been tried in England, of which an accurate account would be highly instructive to an American farmer. The risk and expense of these enter-

prises may have been much beyond his ability, but he may derive much benefit from their success. The various improvements in husbandry, the thorough and complete tillage, the choice and application of manures, the rotation of crops, draining, irrigation, and the various modes of reclaiming land, may serve as useful guides for operations on a much smaller scale.

The British Islands, in round numbers, contain about 120,000 square miles, or about 76,000,000 acres. England and Wales, or South Britain, comprise nearly one half of this territory, and Scotland and Ireland each not far from one fourth, Great Britain being nearly three times as large as the neighbouring Emerald Isle. The territory of the two islands is somewhat larger than the New England states, with New York and New Jersey, or about fifteen times larger than the state of Massachusetts.

According to the most accurate calculations, the population of England and Wales, in the year 1700, amounted to about 5,184,000. That is, from the Roman conquest of Britain, during a term of more than sixteen centuries of what Burke calls civilizing conquests and civilizing settlements, the number of inhabitants had only grown to a little more than five millions. Half a century later, in the year 1750, it had increased, by the same computation, to 6,039,000, or about 900,000 in fifty years. During the next fifty years, or up to the year 1801, the population, according to the census, had risen to 9,187,000, or an increase of considerable more than three millions.

At the last census, in 1841, England and Wales contained 15,907,000 inhabitants, or an increase in forty years of 6,700,000, nearly ten millions more than in 1750, and three times the number at the period when the English, under King William, were able to check the ambitious projects of Louis XIV., and also when, a few years later, the Duke of Marlborough was in the full career of his victories over France.

Thus the increase of population in England and Wales, in fifty years from 1700 to 1750, was nearly 18 per cent.; in fifty years from 1750 to 1800, nearly 52 per cent.; in forty years from 1800 to 1840, or, which is nearly the same, from 1801 to 1841, nearly 73 per cent.

By the next census, in 1851, it will probably be found that the population of England and Wales has doubled, or nearly so, during the last fifty years.

The increase of agricultural produce has not quite kept pace with the progress of population, but comes near the same ratio. There has been, as is well known, a large import of foreign grain into the British Islands during the last two or three years, though small compared with the whole consumption. We believe it will be found that for no five years in succession, even including the late years of famine, has the average import of foreign grain been equal to one tenth, or at most one eighth of the home production. It is supposed, on good authority, that the total growth of all kinds of grain is three times greater now than it was eighty or ninety years ago.

England, in 1688, to encourage her agriculture, gave a bounty on the export of grain, five shillings a quarter for wheat, and half that sum for barley. For about seventy years, from 1695, after the bounty had time to operate, to 1765, England, besides feeding her own population, exported annually to foreign countries on an average five hundred thousand quarters of wheat and other grain.

It is remarkable that, from 1640 to 1690, the average price of wheat was upwards of fifty-four shillings a quarter, and that for the latter period of seventy years, ending in 1765, the average price was but thirty-six shillings, or two thirds of the former price.

Since 1765, it may be said that the English have ceased to export grain; they have become importers. For twenty-five years, up to 1790, the average import was about 300,000 quarters. But if we include the next ten years to 1800, the annual average import was about 700,000 quarters of all kinds of grain.

England, at present, Mr. Colman says, exhibits a more brilliant example than has ever before been witnessed, of the application of mind to agriculture. The practice of agriculture, and the philosophy of it are matters of universal interest. Men of all ranks and conditions are laboring in the great cause. Agricultural improvement is one of the most fashionable occupations with the English nobility and gentry, and the abundant wealth of the great landholders, enables them to make experiments, and prosecute plans of improving and reclaiming land, on a much larger scale than would be thought of elsewhere.

In the steady and increasing demand for agricultural produce at a good price, the farmer of England has had the advantage over all other countries. A far greater portion of

the people are engaged in other pursuits, so that not more than one-fourth of the English people belong to the agricultural class. Mr. Colman says one-fifth, but we think this too low an estimate. It may be said that one-fourth of the population of Great Britain (we do not include Ireland) supply nine-tenths of the whole demand for agricultural produce. In all other great nations, the agricultural class includes a majority of the whole population.

In general the English farmers have the capital and skill to manage all the business connected with the farm, with economy and despatch, in the regular and systematic method of a trade or manufacture; agriculture is, indeed, as Montesquieu says, the grand manufacture for supplying mankind with food and the materials of clothing. Another cause mentioned by English writers, the security of property, we should hope is common to us with them.

The abundance and low price of labor in England, however it may affect the well-being of the laborers themselves, affords undoubtedly a very great advantage to the farmers and landholders. The price of agricultural labor in England is probably not more than half as much as in the United States; many of the common operations in farming, as well as the great enterprises in improving and reclaiming lands might be performed at half their cost with us. It is very obvious that many of the improvements now going on in England, would be impracticable or ruinous if attempted here.

There seems good reason to suppose that large farms, cultivated as in England, are most favorable to great and rapid improvements. Arthur Young, speaking of Norfolk, now one of the best cultivated counties in the kingdom, and the farms mostly large, from 500 to 1000 acres, says: "great farms have been the soul of Norfolk culture; split them into tenures of £100 a year, and you will find nothing but beggars and weeds in the whole county. No small farmers could effect such things as have been done in Norfolk." And again, "deduct from agriculture all the practices that have made it flourishing in this island, and you have precisely the management of small farms."

It is to be observed that Norfolk, before the reign of George III., was one of the poorest counties in the kingdom. The soil was naturally barren, but the improvement has been greater there than in any other part of the empire, unless of late in Lincolnshire.

We give some extracts from our author's account of the agricultural population of England :

"I have referred to some differences in the condition of society here, and in the United States, and those differences it may be well to understand! The agricultural population in England is divided into three classes—the landlord, the tenant farmer or occupier, and the laborer.

"1st. — *The Landlords; Rents; and Taxes.* — The landlord is the owner of the soil. Most of the landlords are noblemen or gentlemen, and are looked up to with a deference and veneration, on account of their rank, with which those of us who have been educated in a condition of society where titles and ranks are unknown, find it difficult to sympathize. They own the land. Some few of them keep portions of their vast territories in their own occupation, and under their own management; but by most of them, their lands are leased in farms of different sizes, seldom less than three or four hundred acres, and in many cases eight hundred, a thousand, and twelve hundred acres. The rent of land varies in different places; in some being as low as five shillings per acre; in others rising to almost so many pounds. Rents are in general paid in money. Sometimes they are valued in kind; that is, the tenant engaging to pay so many bushels of wheat, or so many bushels of barley, or such amount of other products; but in these cases, also, the landlord usually receives his rent in money according to the current prices of these articles. The rents are paid in semi-annual payments. The fair rent of land is sometimes estimated at a third of its products; by some, a different rule is adopted, which is, after all the expenses of cultivation and the usual assessments are deducted from the gross proceeds, that the balance remaining should be divided equally between the landlord and tenant. In general, however, as far as my observation has extended, the rate of rent is not determined by any particular rule, other than that which prevails in most commercial transactions, that each party makes the best bargain for himself that he is able. It is only just to add that in all the cases, without exception, which have come under my remark, there has seemed to me, on the part of the landlords, the highest measure of liberality; the rents in general bearing a small proportion to the legal interest of the money at which the lands are valued, and for which they could be sold at once; lands costing £60 sterling, or 300 dollars per acre, being frequently let for 30s. or £2 sterling per acre, that is, less than eight or ten dollars per acre. We are not well satisfied in the United States with a return from our land under five or six per cent. on its cost; but the landlords here seldom obtain more than two-and-a-half per cent., or three per cent. on the price which the land would command, if brought into the market."

Lands in England are occupied by tenants under a lease for a term of years, or held at will, or from year to year. When at will, no notice to quit is required; when from year to year, six months notice of an intention to quit must be given. It is remarkable that not more than one third of the land in England is supposed to be held under leases for a term of years.\* The remainder is held chiefly from year to year, six months notice being required from either party disposed to terminate the tenancy.

"2. — *The Farmers.* — Next come the farmers, who lease the land of the land-owners. These men are not like farmers in the United States, who themselves labor in the field; they rarely do any personal labor whatever. They are, in general, a substantial and well-informed body of men; and many of them live in a style of elegance and fashion. Many of them are persons of considerable property, as, indeed, they must be in order to manage the farms which they undertake. The capital necessary to manage a stock or an arable farm must be always estimated at double or treble the amount of rent; and, in general, cannot be set down at less than £10 sterling, or fifty dollars, per acre. The stock required for a grazing is, of course, much more than for an arable farm; but in no case can success be looked for without ample means of outlay.

"The farmers in England, as far as I have had the pleasure to meet with them, are a well informed set of men, especially on subjects connected with their particular pursuits. There, of course, is the variety among them which is to be found in other classes; but their manners, without exception, are courteous and agreeable, their hospitality distinguished, and their house-keeping — and I speak with the authority of a connoisseur in these matters — is admirable. Indeed, it has not yet been my misfortune to meet, in England or Scotland, with a single instance of sluttishness in any private house which I have visited; but, on the other hand, the most exemplary neatness. I cannot say as much of all the hotels or taverns in the country, many of which are far inferior in all respects, and none of them superior in any, to our best hotels. There is one circumstance in English manners so much to the credit of their house keeping, that I shall, for the best of reasons, venture to remind my American friends of it, although I fear that any reformation in the case is hopeless. In no private house which I have visited have I been smothered or offended with

---

\* This is stated in the *Edinburgh Review*, No. 120, in an interesting article on Kennedy and Grainger, "*Present State of the Tenancy of land in Great Britain.*"

tobacco smoke; and I have seen the offensive and useless habit of chewing tobacco, since I came to England, in but one solitary instance, and that was on the part of an American. At public dinners the same reserve is not practised, and the atmosphere becomes as thick as a London fog. I will not interfere with any gentleman's private pleasures; but I will lose no fair opportunity of protesting against a practice which has little to recommend it, and in respect to which I think we have good grounds to ask — what right has any man to indulge in any mere personal or selfish gratification, in-doors or without, at the expense of his neighbour's comfort?

3. "*The Agricultural Laborers*. — Next to the farmers come the laborers, and these three classes, preserve the lines of distinction among them with as much caution and strictness, as they preserve the lines and boundaries of their estates. These distinctions strike a visitor from the United States with much force; but in England they have been so established, are so interwoven in the texture of society, and men are by education and habit so trained in them, that their propriety or expediency is never matter of question. The nobleman will sometimes invite his tenant farmer to his table; but such a visit is never expected to be returned. The farmers would, under no circumstances, invite the laborer to his table, or visit him as a friend or neighbour. They are, usually, comfortably clad, in this respect contrasting most favorably with the mechanics and manufacturers in the cities and large towns; but they are, in general, very poorly fed. Their wages, compared with the wages of labor in the United States, are very low. The cash wages paid to them seldom equals the cash wages paid to laborers with us, and our laborers, in addition to their wages in money, have their board; but the English laborers are obliged to subsist themselves, with an occasional allowance, in some instances, of beer, in haying or harvesting. The division of labor among them is quite particular — a ploughman being always a ploughman, and almost inseparable from his horses; a ditcher, a ditcher; a shepherd, a shepherd only; the consequence of this is that what they do, they do extremely well. Their ploughing, sowing, drilling, and ditching or draining, are executed with an admirable neatness and exactness; indeed, the lines of their work could not be more true and straight than they usually are, if they were measured with a marked scale, inch by inch. They speak of ploughing and drilling or ridging by the inch or the half-inch; and the width of the furrow slice, or the depth of the furrow, or the distances of the drills from each other, will be found to correspond, with remarkable precision, to the measurement designed.

"In all parts of the country women are more or less employed on the farms, and in some parts in large numbers. I have frequently counted thirty, fifty, and many more in a field at a time,

both in hoeing turnips, and in harvesting. I have found them, likewise, engaged in various other services; in the fields pulling weeds, in picking stones, in unloading and treading grain, in tending threshing-machines, in digging potatoes and pulling and topping turnips, in tending cattle, and in carrying lime-stone and coals. Indeed, there is hardly any menial service to which they are not accustomed; and all notions of their sex seem out of the question whenever their labor is wanted or can be applied. The wages of women are commonly sixpence and eight pence, and they seldom exceed ten pence a day, excepting in harvest, when they are as high as a shilling. The hours of labor for the men are usually from six o'clock, A. M., to six, P. M., with an interval of an hour for breakfast and an hour for dinner. The women rarely come before eight o'clock, and quit labor at six, with the usual indulgence for dinner. Many of the laborers walk two and three miles to their work, and return at night. Their meals are taken in the fields, and in the most simple form. The dinner is often nothing more than bread.

"In the season of harvest, immense numbers of Irish come over to assist in the labor, and this presents almost the only opportunity which they have in the course of the year, of earning a little money to pay the rent of their cabins and potato patches. Nothing can exceed the destitution and squalidness in which they are seen; starved, ragged, and dirty beyond all description, with the tatters hanging about them like a few remaining feathers upon a plucked goose. At their first coming they are comparatively feeble and inefficient; but, after a week's comfortable feeding, they recover strength, increasing some pounds in weight, and, if they are allowed to perform their work by the piece, they accomplish a great deal.

"I found in one case on two farms — which, though under two tenants, might be considered as a joint concern — more than four hundred laborers employed during the harvests, a large proportion of whom were women, but not exclusively Irish. The average wages paid the men in this case was one shilling sterling (or twenty-four cents) per day, and their food, which was estimated at about nine pence (or about eighteen cents) per day. Their living consisted of oat-meal porridge and a small quantity of sour milk or butter-milk for breakfast; a pound of wheaten bread, and a pint and a half of beer at dinner; and at night, a supper resembling the breakfast, or two pence in money in lieu of it."

Mr. Colman devotes much space to the allotment system, practised of late by some landholders. From a quarter to half an acre is the common size of an allotment to an agricultural laborer, to be cultivated by him at a fixed rent. One land-



holder, a lady who is much praised for her public spirit, has divided one hundred and forty acres of land into four hundred and twenty-one allotments, at a rent averaging little more than three pounds an acre, or £428 for the whole. This price is for the land alone, without houses or any buildings, which form a separate rent charge. This may be, and probably is, an act of generosity and public spirit not common, though it would seem to require no great exertion of these qualities to let land at £3 an acre.

The Duke of Rutland has made more than one thousand allotments, or allotment-gardens as they are called, to laborers. Their extent is generally limited to one sixth of an acre of potato garden at a rent of ten shillings a year. This is at a rate of £3 an acre, or £510 for one hundred and seventy acres, or one thousand and twenty allotments. In the present condition of English laborers, we should suppose that these allotments, at any reasonable rate, would be beneficial to the occupant, though the rent seems high compared with that of large farms.

The English have far surpassed all other nations in the breeding and management of their live stock—their horses, cattle, and sheep. Very great improvement has been made in the breed of horses for every kind of employment in which horses are used; for in England the principle of the division of labor has been applied to this animal. Horses are bred and trained for a particular department, and exclusively confined to it, as for sporting, pleasure, travelling, draught, or agricultural labor. There is the race-horse, the hunter, carriage-horse, draught-horse, the roadster, the saddle-horse, the pony for ladies and children, the general hack, and the farm-horse. Such a division and the care and skill displayed in the treatment and training of this noble animal can be expected only in a society of great wealth, activity, and intelligence.

The horse is used in England for farm labor, almost to the exclusion of oxen, especially on large farms. The question whether horses or oxen are preferable, or which on the whole is the most profitable for agricultural labor, has been much debated in England, and, so far as the practice of the great majority can decide, it is in favor of using horses. The use of oxen has been continually decreasing, and that of horses for farm labor has been constantly growing into practice, till it has become very general.

We suppose there must be some good reason for this prac-

tice among such an intelligent people as the English, and by farmers who, paying a large rent, have strong motives to cultivate their land in the most economical manner. Mr. Colman, indeed, thinks the practice is founded on error, but we believe, that English agricultural writers are now more generally agreed in its favor than formerly. On our small farms and New England soil it might not and probably would not be often expedient; but the practice, as is well known, is very common south and west of New England, and even here in some places, as in the vales of the Connecticut, horses are much used in ploughing and other farm work.

In England, instead of keeping oxen for work till they are seven or eight years of age, and then fattening and sending them to market as is common here, young cattle and steers, as we should call them, from two to three years old, are fattened, and supply the Smithfield and other markets with the roast beef of old England.

We have no space to enumerate the different breeds of cattle in England, or to dwell on the very great improvement in their size and qualities. One of the best proofs is, that though the average age of the cattle for slaughter is only from two to three years, the weight is more than double the average ninety or a hundred years ago. At that period the average weight of the cattle sold at Smithfield market did not exceed three hundred and seventy pounds. At present, the average weight is estimated at eight hundred pounds, and the number of cattle is more than twice as great as at the former period.

Nothing relating to English agriculture is more remarkable than the magnitude and value of their sheep husbandry. The number of sheep in England is supposed to be twenty millions, or upwards; the annual increase about seven millions, and nearly this last number are annually slaughtered for the market. The product of wool is about one hundred million pounds. Including Scotland, where the sheep may be about four millions, the whole number in Great Britain may be twenty-four or five millions. The annual product of wool, including lamb's wool and that of sheep killed for market, is estimated at nearly or quite one hundred and twenty million pounds.

In the United States there may be, if we credit the reports of the patent office, about the same number of sheep as in England, but the product of wool can be but little if any more than half as much. The average weight of a fleece here is

not far from two pounds and a half. In England the long-wooled sheep vary from five to nine pounds to a fleece; the average is supposed to be seven pounds and ten ounces. The fleece of the short-wooled is supposed to average from three to four pounds, perhaps not more than three pounds and a half. The sheep producing long wool may be in number about one-fourth of the whole.

The breed of this most useful animal has been improved by the English to a surprising degree. In Smithfield market the average weight of a sheep, that is, of the four quarters, was, a few years ago, eighty pounds. Mr. Colman was informed that it was now ninety. A hundred years ago it was less than half this amount, and in 1710 was estimated at only twenty-eight pounds.

The two last numbers of Mr. Colman, comprising what is published in a small volume called *Continental Agriculture*, we found peculiarly interesting. This part of the work is more methodical, more condensed, and contains fewer digressions. The description of French agriculture, which occupies most of the small volume, seems to have been written, *con amore*, with a hearty devotion to the cause of agriculture, and a pleasure in describing that of France in particular. The agriculture of France is prosecuted in quite a different manner from that of England, and in some respects presents a marked contrast. Instead of a country where the land is owned by a few thousand great proprietors, and occupied in large farms by tenant farmers, who cultivate it by hired laborers dependent solely on their wages for a subsistence, we find a great country and a flourishing agriculture, where four-fifths of the agriculturalists, who compose a large majority of the nation, cultivate their own land, and the number of landed proprietors is supposed to amount to five millions.

Mr. Colman gives a very favorable and gratifying account of the French peasantry and their modes of cultivation, and of the state of landed property in France. The agriculture of every great country must be its most important interest. But in France it is so to a greater extent than in England, where commerce, manufactures, and mining occupy so great a portion of the national industry. It is a great advantage to France that regular returns of the products of agriculture are annually made to the government, so that in the late scarcity of grain and failure of the potatoes, the government were enabled to provide early with a humane foresight for the

deficiency. The importation and distribution of food under the direction or control of the proper official department, was so judiciously managed as to prevent much actual suffering. The French rulers and politicians have been thought, and we suppose with some justice, to be affected with the mania of governing too much; but we believe this extraordinary exercise of authority was an unequivocal benefit.

"Few things have struck me more forcibly than the difference in the agricultural population of France and that of Great Britain, a subject to which I have already referred. I have never seen a more healthy, a better clad, or a happier population than the French peasantry. Something may be ascribed to: their naturally cheerful temperament, and something to that extraordinary sobriety which every where, in a remarkable degree, characterizes the French people; but much more to the favorable condition in which this law of distribution, which renders attainable the possession of a freehold in the soil, places them."

"No observing American comes from the United States to Europe, without soon becoming convinced that economy of living is nowhere so little understood as in his own country; and that for nothing are the Americans more distinguished than for a reckless waste of the means of subsistence. The refuse of many a family in the United States, even in moderate circumstances, would often support in comfort a poor family in Europe."

"The inhabitants of the United States enjoy an abundance for which they cannot be too grateful; but which is very little understood in Europe, where, with a large portion of the population, including many in the middle condition of life, it is a constant struggle to live and to bring even their necessary expenditure within their restricted means, and where the constant inquiry is, not what they want, but what they can afford; not what they will have, but what they can do without."

One of the most remarkable features in the agricultural and social system of England is the small number of landholders. In a former number of this Review we have made some remarks on the law and custom of primogeniture, one of the most obvious causes which have contributed to produce this effect.\* But there are other causes which must have had an important bearing on this subject, and among these are especially to be enumerated the want of a public registry of deeds conveying real estate, and the enormous expense attending the sale of land. The expense of conveying a small parcel of

---

\* See No. VII, p. 344, et seq.

land would often be more than the value of the land itself. Of course there are few instances of a transfer of title, except where the amount is large.

The *Edinburgh Review* lately remarked —

“We bitterly regret our execrable system of tenures, by making the legal forms attending the sale and purchase of a small piece of ground cost more than the value of the thing which they convey, and our execrable poor-law system, by denying employment to a man who is supposed to be able to exist without it, have destroyed the small properties of England. We believe that if we could call into existence the English yeoman, we should add to our social system a most valuable member. We believe that the relics of that race, the Cumberland and Westmoreland statesmen, are the best agricultural population in Great Britain.”

It is not easy to ascertain how many land owners there may be now in England; at least, we have seen no statements of the number on which much reliance is to be placed. It is known, however, that they are rapidly diminishing. Some English statements that we have seen make the whole number of proprietors of land in the United Kingdom less than twenty thousand. But this must be far too low, and probably less than one half of the actual number.

In the United States, perhaps nothing has more contributed to the prosperity of the people than our system of landed property, the facility and cheapness of conveying any real estate, and the security given to land titles by a public registry of deeds. Here the expense of conveying the smallest property in land is so trifling as to be no obstacle to the sale. Our system of disposing of the public lands is probably the best ever adopted in any country, and has contributed essentially to the unexampled growth of the new states.

From the English system of agriculture we may expect more splendid results, more extensive and rapid improvements, and a much greater surplus of food and other agricultural produce beyond the wants of the agricultural population for the consumption of the other classes. The French and American agriculturalists may themselves consume, on an average, from one-half to two-thirds of the produce of their farms. The English agricultural class, in Great Britain, not more than from one fourth to one third.

The English system will produce a much greater net income from the land for somebody. The same number of agricultural

laborers accomplish more and spend less. By means of large farms, abundant capital, an unsparing use of machinery, and cheap labor, the product beyond the cost of production will be much greater, and of course there will be a much greater surplus or profit for somebody or other ; that is, for the landholders, the large farmers, and receivers of tithes, whether lay or ecclesiastic. In general, there will be a much larger amount or disposable surplus annually, either to be invested as capital in railroads, foreign loans, or agricultural improvements, or to be expended in building costly mansions and forming parks and pleasure-grounds, or in the promotion of science, literature, and the liberal and elegant arts, or to be squandered at Newmarket or Crockfords, at Paris, Rome, or Naples.

The landholders, tenant farmers, and clergy will undoubtedly have their maintenance from the land ; but after a liberal allowance for their expenditure, we believe there will be a much greater surplus to be invested or squandered than in the case of any other agricultural population of equal numbers.

The American system, — we speak of the free states, — where the land is chiefly cultivated by the owners in comparatively small farms, gives a more comfortable livelihood to the agricultural population, more ease, security, and independence, and in the long run may be better for the whole nation, as well as for the agricultural class. On this system a much larger proportion of the products of agriculture is consumed by those who perform its labors, and of course a much smaller proportion is left for the rest of the community. The American farmers, or the population concerned in agriculture, constitute the great bulk of the nation, and produce not only enough for the wants of our community, but a large surplus for exportation. But they produce less in proportion to their numbers, and a much larger proportion of the community must be employed in this way to furnish food and other agricultural produce for the whole.

The great objection to the English system, is the condition of the laborers. It is natural to wish that those who perform the work should have a larger share of the product, and that in such a rich and flourishing agriculture, those who endure the toil should get something more than a bare subsistence. We suppose this to be a necessary part of the English social system, and that all possible advantages of society cannot be united in any one form. The advantages of the social sys-

tem of England are many and great, but they appear to us to be dearly purchased, at the expense of a large portion of the laboring classes.

In conclusion, we think Mr. Colman's work a very valuable acquisition to our knowledge of European agriculture. Few men have the talent of describing what they have seen with so much life and accuracy, or of writing with such facility and perspicuity. The warmth of his benevolence, and his sympathy with the laboring classes add much to the interest of the reader. Our limits permit us to give only a very imperfect idea of the extent and value of the work, which, we presume, will be read not only by practical and speculative farmers, but also by those who are interested in the social systems of the most enlightened states of Europe.

Thus far we had written prior to the decease of the lamented author, whose work we have been considering. The many testimonies to his worth that have appeared in various parts of our country, render it unnecessary for us to dwell here on his character and the loss our community has sustained.

To show the estimation in which he was held abroad, in the country where he resided so long as to be well known and appreciated, we give the following extract of a letter to a gentleman in this city, from a noble friend of Mr. Colman's, eminent in political life, and distinguished for his improvements in agriculture.

"MY DEAR SIR:—I am sure you will have heard with the deepest regret of poor Colman's death. Here we all lament it, as we should that of our habitual and oldest friend, so entirely was he regarded in our respective family circles as one of ourselves. I never knew any foreigner so identified with us and our habits and so entirely adopted by the country. And yet there was no lack of independence of thought and action, and of avowed preference of most things, both in civil and social life, in his own country. He was so candid, and true, and honest, and so fond of these qualities in others; and with great talents, there was so charming a simplicity of character about him that he won on every body he approached. There is no exaggeration in his printed letters, in which he so often speaks of the innumerable solicitations he received from persons in every part of England to visit them. All who had once received him wished a repetition of the pleasure, and the report caused him to be coveted by others. All these qualities, with his passion for our favorite pursuit, Agriculture, gave him the key of every house among all ranks. He really is a very great loss. His circulation among

us did great good. I have read his letters with much interest. There is in them a great deal that is admirable in feeling and in style. They are much read here, and will have a permanent place in the libraries of all who knew him, and of many who did not."

We hardly know where to look for his superior in active benevolence, or in a fervent and enlightened piety, in a sincere zeal to promote the well being of all his fellow-men, without distinction of party or sect, and especially for the moral and mental advancement of any portion of the human race, within the sphere of his influence.

---

#### ART. VI.—THE FINANCIAL CONDITION OF RUSSIA.

WHOEVER undertakes to speak of the financial condition of Russia, finds a difficult task before him. In a country where all that relates to the affairs of government is made public only so far as it serves the policy of the imperial cabinet; where the authorities themselves, for various reasons, cannot place confidence in official statements; where, besides, the truth is continually, intentionally, and unhesitatingly sacrificed to specious and splendid appearances,—there it must always be difficult in general to speak with certainty. But in Russia a veil of lies and deceit has been designedly and diligently drawn over all that relates to the finances. How, then, can a private man arrive at certain results?

Be assured we have lost no opportunity of obtaining information. We have been able to ascertain some facts pertaining to the department of finance, but the results of all the numerous communications thereon still amount only to views, opinions, and conjectures; at the most only to the most general glimpses into the finances. Russia owes large sums to England, and makes statements of her financial condition from time to time; but there is a very strong suspicion that these statements are deceitful. It is highly probable that nobody but the Minister of Finance, in whose hands all the several threads of this wide extended system are united—could, if he were so inclined, give more accurate information than we have now to offer. But it is probable that no statement from



headquarters would be thoroughly trustworthy; for, on account of the great irregularity of all official operations in Russia, many errors must creep into that.

The following is a sketch of the institutions connected with the Ministry of Finance:— In all the chief places of the empire there are Bureaus of Finance, provided with a President and several Councillors, who collect the excise tax on brandy (ardent spirits of all kinds) and salt, as well as other taxes, and have authority in all that relates to financial matters and affairs of police. It is also a part of their business to receive recruits.

The net income of the Russian government may well be called insignificant in comparison with the number of the people, and the rich resources of the nation; for, according to pretty exact statements, it amounts only to a hundred million silver rubles, or a little more, and as this sum is not wholly derived from taxation, direct or indirect, but comprises what comes from the imperial estates and other sources, so the amount collected from sixty-three millions of inhabitants seems very small when compared with other lands. On the average only about one ruble is collected from each person; while in England the amount is six times as great, and in France and Prussia it is twice as large. The extraction of money from the people is much better understood in the latter countries. A single glance at the list of taxes shows the rude condition of the science of finance in Russia. At the head of all as the chief source of income, stands the tax paid for license to sell brandy. This produces thirty-six million silver rubles. In order that this chief source of national income may continue to yield liberally, the government allows no temperance societies, but, on the contrary directly promotes the vice of drunkenness, by allowing numerous holidays and festivals, on which intemperance cannot be punished. The same vice was carefully inoculated into the whole nation by Peter the Great, by means of his example, the highest of all. The government is not satisfied with selling licenses at public auction, thus seeking continually to increase the tax paid for permission to sell brandy in the provinces, and in this way leading necessarily and directly to falsehood and deceit, and thus seducing men to the vice of drunkenness,— it does not blush yet further to use this infamous business as a means of extracting money from the people, for it is made the duty of the sellers to receive from the imperial magazines and keep on

hand a certain quantity of brandy at a certain price, and under penalty of the law, to sell this again at the same price and no higher. On the other hand, exile to Siberia is denounced against smuggling brandy from a neighbouring district, where it is often three times as cheap and good, because the price of grain is there so much less. The seller dilutes his brandy with water, and then to make it appear strong enough for the drinkers, unpunished and without shame he adulterates it with substances well known to be poisonous. It has been maintained that, in this way, about two hundred thousand lives were lost every year, while the health of great numbers was undermined. The authorities have often been informed of all the enormities of this system of licensing, but they have only raised the sum paid for a license, and setting no limits to this poisoning of the nation, have gladly pocketed the income thus enlarged! Cancrin, a former Minister of Finance, was himself made a partner in this increase of income by receiving a portion of the gain, and accordingly compelled to act a most unworthy part, and to show himself more and more deserving his nickname — the Cancer of the State, (*Krebs am Volks Körper.*)

If the Emperor Nicholas ever actually said to his minister — as it is alleged — that he should rejoice in any diminution of the income derived from the sale of brandy, this is to be taken as a sentence not seriously spoken, and must be looked on as belonging to the part of Emperor in the political comedy. A specious appearance is made with a phrase which seems virtuous, and then indulgence is shown to the crime for the advantage of the state. This is a plain fact.

It is well known that the poll-tax belongs to the rudest forms of taxation. This has been allowed to remain in Russia as a sign of the internal weakness of the autocratic power which, without, seems so splendid. It is well known that a tax on real and personal property is far more just, and — what is the main thing — would produce more. However, the evil conscience of the despotism is afraid that the spirit which must come with a rational scheme of taxation, would be hostile to the authorities. Accordingly the government is not ashamed, whenever it is possible, to lay *all* burthens on the humblest class of the people, thus making a mock at their efforts for improvement. The poorest class know not how to satisfy their hunger with even the most miserable food; but by means of the tax, the government poisons the only drink

with which they can produce the requisite vital warmth, and thereby takes from them money which might purchase better food; yet even they must pay a poll-tax which is not demanded from the rich debauchee! No one but a heartless actor of comedies could ever lend his name as a cloak for conduct so terrible and abominable. It sounds like scorn to call that *government*: to describe conduct so shameless, it would be far better to call it *seduction, corruption, abuse, ruin*, and similar names.

The salt-tax appears as coarse and brutal as the poll-tax. It makes it difficult to obtain one of the most indispensable necessities of life, while shrewdness,—not to speak of humanity and wisdom—lays down this as a rule: to cheapen every thing which belongs to the necessities of life. The more this is done, the more certain are the people to be content, the more certainly will the national welfare advance, and only rational institutions will march at its side. But on the other hand, every burthen laid upon them retards the progress of mankind. This is very obvious in Russia, for if it is true that obstacles in the way of a nation which has reached a high degree of development, only call out increased efforts, and therefore a yet higher degree of culture, it is also true that obstacles in the way of a nation taking its first steps, can only discourage and deter them from progress. Of course the first germs of culture are thus kept from growing. Accordingly, while the government, which calls itself patriarchal, boasts of “leading the people in the way of their development,” it actually does all in its power to stifle the first germs of culture. Is it possible for the government to desire the welfare of men, when it only allows them to vegetate, and not to develop their mind?

After what has been said in reference to the unworthy conduct in respect to brandy, we can only be surprised at finding any vice in Russia from which the State-Harpy does not extract some gain; we should expect to find that robbery, murder, unchastity, lies, hatred, envy, and the like, would be artificially nourished, patented and taxed. This is actually the case, in many instances, as it will appear, at least, in part, from the following facts. Peter I., commonly called the Great, found a certain simplicity of manners in his people, which, if fostered, protected, and developed, would have led to the finest results. It has been shown above that he promoted the vice of drunkenness by his own example,—the highest in

the land. He was not contented with that, but opened the gates of his kingdom to another means of intoxication — Tobacco. For a certain bribe, (*Bestechungsumme*,) called *Abgabe*, — a sum not sufficient to cover the expenses of his foreign journey, — he gave the Dutch the exclusive privilege of introducing and distributing tobacco throughout Russia for a certain time. However, the desire for the use of tobacco increased; this is partly to be attributed to the natural disposition of the Russian — who at first had not wished to overcome the disagreeable taste of the article, in order to obtain intoxication therefrom; — for it is well known that when a man has first become acquainted with any kind of enjoyment that a little difficulty in the way of obtaining it, is to be regarded as an incitement and means of seduction, and we have every reason to suppose that the present monopoly of tobacco was established for this purpose, for the late minister of Finance, M. Cancrin, did not hesitate to express his admiration at the unsatisfactory result.

In the imposition of duties — which furnish a large part of the national revenue — the Russian government appears not so much wicked as short-sighted and feeble-minded. Instead of levying duties merely for revenue, the Emperor aims by his duties “to call forth and protect the industry of the land.” The result appears obvious in the unnatural enterprises which in general do only hurt. Hands which were insufficient for the culture of the soil, were yet, in large numbers, by means of this duty, attracted to manufactures which at the same time found no suitable field in Russia, for they naturally come as the result of a previous cultivation of the soil. It is maintained that by this tendency to manufactures the emancipation of the Slaves has been hastened. There is some truth in this, but it is of a formidable nature; for if any one is acquainted with our present system of manufacturing, he would not desire to promote emancipation by laying on non-slaveholders a yet more abominable load. Why cripple the slaves, yet more, in soul and body, in order to induce him to break his chains? Is not this to adopt the maxim thrown out by the frivolous, “that if you wish to lead men to freedom, the more you trample on and abuse them the better!” In our present system of manufactures, man, for the most part, is degraded into a mere part of a machine; and thereby more or less robbed of his health. All trustworthy accounts of the condition of the manufacturing population in Europe agree in this: —

that men deteriorate therein from one generation to another. But the Emperor does not wish to lead his people to freedom ; for that would become more and more. So he gladly encourages them to turn away from that, by a slavish system of manufacturing, and by the imposition of duties, derives a profit from it. We are of the opinion that the tax on lotteries and gaming houses, or that on houses of ill-fame, could hardly be called more shameful for a government. In order to regulate freedom without injuring it, and accordingly without diminishing it, Republics must by all means take care of the manufacturing business ; but when Republican governments impose customs and duties for the sake of getting a revenue from a business which degrades men, then, in common with monarchies, they become participators in a wrong, and degrade themselves thereby, though in a less degree, for they do not bring men into such a state of thralldom as restrains them from a just use and development of their powers.

Every government which conforms to reason — and only democratic Republics do this, — must regard freedom as the basis of industry and trade, and keep its eye steadily on that, but without being stiff in carrying it out ; for, practically, in human affairs, extreme measures never appear tenable. For example, in a nation not much developed, if domestic industry and trade are to prosper, protective or differential duties must be levied in support of domestic labor, and therefore against that of other and more advanced nations. However, these protective duties must never become so high as to be out of proportion to the pay of labor, as they are in Russia, where duties are levied which are many hundred per cent. above the value of the raw material and all the labor expended upon it. The following are some of the results of such a perverse undertaking : — When the system of monopoly is thoroughly carried out, the most pernicious encroachments will be made on the natural course of the nation's development ; individual speculators, charmed by the prospect of making money, will draw off a part of the people from their former business, and so an injury will be done to that. Thus several branches of industry for which Russia was formerly celebrated have fallen to ruin or gone to decay ; only one example need be named, the manufacture of leather, which is now far from its former perfection. Other evils follow at a later period. The high protective duties must at length fall, for nothing unnatural can long continue, and then competition brings down the price of

the manufactured articles, and the speculators withdraw from the business. Then comes the difficult question, What is to become of the laborers recently engaged in these branches of industry, and who, from want of practice, are wholly or partially unfit for other kinds of work? The single speculator retires richer than before, but he leaves behind, to the care of the state, a host of men made poorer than before. The single man now becomes rich, ceases to manufacture, and so becomes a mere unproductive consumer in the state; he spends his money either directly in a foreign land, or else indirectly by the use of articles of luxury purchased from abroad. Money, the blood of the state, no longer circulates down to the lowest members of society, preserving life and health; it stops in certain places and flows outwards. Then comes feebleness, and then death of the body politic, or there follows a violent convulsion, a revolution.

This opinion is confirmed by a glance at the manufacturing districts of Europe. One chief cause of the violent fermentation now prevalent among the people is to be found in the complicated relations of manufacturing and other kinds of labor.

Another natural consequence of excessive duties is the oppressive dearness of articles of consumption. This restricts the natural course of trade, and must have an injurious effect on the sale of articles produced in the several countries. Nothing is more natural than this: that a country must cease to buy the productions of foreign states if its own productions are not purchased in return. Other nations would be much more able to pay for the productions of Russia if she did not close her frontiers against them by excessive duties. By this the Russian producer suffers a twofold loss—first, from the small prices of his own productions, and, second, from the dearness of foreign articles.

Finally, though it seems almost superfluous to do so, we will mention the demoralising influence of excessive duties. They lead unavoidably to smuggling. This ought to dissuade a government not lost to all sense of shame, from imposing such duties. Induced by hope of gain, not only all the commercial part of Russia, almost without exception, are suspected of smuggling, but almost every man, in public, rejoices in the support of it, and the authorities themselves live in a great measure on their bribes! It requires the iron forehead of despotism to support so long a system thoroughly base.

In general, little need be said against the high Stamp-tax and Registration-tax. The chief thing to be desired is to diminish this in some cases where it now hinders traffic and presses heavily on the lowest classes of the population. But the application and execution of it must be declared too rough and reckless.

The so called Banks for Loans and for Commerce are among the worst means for improving the finances of the Russian government. The owners of real estate, in their pecuniary embarrassments, resort to the first and borrow money on interest, pledging their land for security. The commercial banks discount notes for a commission, deal in exchange, and loan money on deposits of merchandise. This miserable usury only brings in about two millions of rubles a year; but it helps ruin a host of persons, and would disgrace any honorable government; but here many worse things are done to enable the government to keep up a respectable appearance. It is pretty openly said that the Emperor favors these lending banks chiefly to bring down the wealth of his nobles, and thereby get them wholly into his hands, for he regards money as one of the chief instruments of power. The following is completely in accordance with that design. The Emperor uses all possible means to draw the rich noblemen to his court, where they are led into luxuries of all sorts, and, if not brought to pecuniary ruin, they are kept from increasing their wealth. His anxiety in this matter goes so far that matrimonial engagements are made by the Emperor and Empress, and the wealth of an heiress is brought into the hands of a spendthrift who lives at the court, or a rich man marries some poor maiden of the court, who knows how to spend his money.

No one has any thorough and reliable account of the exact state of the finances of Russia. But from time to time public statements are made from which we learn that the State debt has been continually on the increase ever since the Oriental contributions failed. The English continually lend her money, and this is the explanation of the fact: — the English know by their own experience how much a state may be burdened with debt without any sudden national bankruptcy, and do not think a revolution is possible in Russia, which would ruin her finances.

In 1818 the State debt amounted to about 300,000,000-silver rubles; in 1844 it was more than 500,000,000. *It is said* that the precious metals in the Fortress of Peter and Paul

in 1848 amounted to 102,500,000 rubles, while the paper money issued by the Bank of Assignats, it is pretended, amounted only to 600,000,000 or 700,000,000. But this must be rated higher. Well informed men maintain, with confidence, that the money in the State treasury is rated much too high, and add, "there may be paper there, indeed, but no money." It is true that at the yearly visitations of the treasury some merchants are invited to attend, and they say, "Yes, they did open one or two bags, but we do not know what was in the rest!" and thus show what sort of comedy has been performed before them. Men laugh when allusion is made to the immense productions of the mines of Siberia, for it is well known how carefully they are managed, and how insignificant is the return compared with the cost of working them. However, if we could believe there were 102,500,000 rubles in cash in the treasury, there are still some striking facts which force us to think very lightly of the wealth of the State. In 1847, when Russia so magnanimously sent the precious metals to support despotism abroad, *all* the coined silver and gold was withdrawn from circulation throughout the land. This shows how poor the population is. Every well informed statesman knows, also, the national poverty of Russia, notwithstanding her valuable natural resources.

We have much more reliable accounts of the expenses of the State than of its income, for less secrecy is practiced in the former than in the latter case. We may safely say of the general condition of the finances, that since the great contributions from Prussia and Turkey ceased there has been a great and continual increase of the national debt. We should say of a private man under such circumstances, that he stood on the verge of bankruptcy.

The annual expenses of Russia amount to 170,000,000 rubles: 36,000,000 for the land-forces; 32,000,000 for the ministry of the interior; 31,000,000 for miscellaneous expenses attending the collection of the revenue, &c.; 23,000,000 for the ministry of finance; 12,000,000 for the fleet; 9,000,000 for the private chest of the Emperor; 8,000,000 for the expenses of the imperial manufactories; 7,000,000 for the mines; and finally, 3,500,000 for the so-called ministry of public education, which here is a subject of merriment. These facts explain the continual increase of the national debt.

From the financial condition of the people, it is plain that Russia must borrow money not at home but abroad. But as



the foreign money-lenders in the most recent times would not accommodate Russia as before, so in 1848 there would have been a sad financial crisis in the state, if the price of grain had not been so high in 1847, and Russia had not accidentally been able to send abroad large quantities of breadstuff. The millions which Nicholas lent to Louis Philippe in the last part of his reign, and with which he hoped to prevent the revolution he feared, but which came at length from the necessity of the case — these millions only gave France more time to pay for the corn she had received. Russia lent France money that she might buy bread of Russia ; the money came back to Russia in payment for the corn, and the Emperor knew how, in the rudest and most brutal way, to draw the gold and silver money from the hands of his subjects, and put it into his own coffers again. In several provinces the government bought up paper money in great quantities, so that there was an inducement to speculate in the stocks. Every man who had coin on hand sought to exchange it for paper money, partly to escape the loss occasioned by the fall of the price of gold, partly to gain by the increased value of paper money. By and by it was not necessary for the crown to buy up paper money, for the public had fallen into the trap, and soon the millions which had come from abroad in hard money to pay for the corn, were brought back to the coffers of the State. In this manner a forced circulation was given to the paper money, which had been issued without restriction, and it was saved from all depreciation except what arose from stock-jobbing, while Russia plainly showed how foolishly the people act when they — even in their internal traffic — use metals as if they were money ! for the government knew how to save them from the loss occasioned by such a use, and from the manifold inaccuracies of such a currency !

When attempts were made in Europe to put down the efforts for freedom, the Russian Emperor concealed the weakness of his finances, very simply, but by a process, if possible, yet more brutal. He levied forced contributions for the magazines ; fixed the price of articles taken, according to his own discretion ; paid a part of that in paper money ; gave a bond for another part, and set off the balance to the account of future taxes not yet levied ! This action was in accordance with the private maxim of despots — “ *L’etat c’est moi* ” ; he did not see that, in spite of its convenience, it must soon lead to the ruin of the actor, for deeds of this character have been done so long. He learns

from history only what he wishes to learn, and pride and arrogance whisper to the despot in the ear, not: — “this man and the other did so and so, and came to a bad end,” but: — “if they had had our cunning and our power, even in their case, the end had been other and better.” Spite of the illustrious example of America, men in power will not believe that the people, any where, will, at last, enjoy their freedom, and so they think they can put down the efforts and insurrections continually made for this end, because they have succeeded hitherto. As if the bandage of the soldier — which is the only reason why he lends himself as the blind tool of the usurper — would never fall from his eyes! These men close their ears to all demands of liberty for the people, knowing that every recognition of a right must be followed by the elevation of individual man.

In short, the best of them have faith in what they wish, but the sophisticated understanding of those pampered men can never attain the wisdom which is higher than their faith, but trust only to cunning.

Certainly there are some men in power whose eyes have been quickened by the fear which an evil conscience has awakened, but for the most part they are frivolous or selfish enough to subscribe to the saying: — “the ships will hold together as long as we are at the helm, and after us, let the flood come!” Coming generations may see how wise they were!

The finances of Russia cannot improve without the blessings of freedom. The nation may go on in this rude, violent way, till the one pressure causes the counter-pressure which throws every thing into confusion, and produces a national bankruptcy, or a change of dynasty, or some other change. It seemed almost probable that the attempts to support Austria against the Hungarians would bring about this crisis. In the Hungarian war the demand of mankind for freedom became very plain; it showed that though the hour for a general rising of the people of Europe, and for putting an end to all monarchies had not yet struck, still it was near at hand. The desire of freedom long ago had taken root in the Slavic nations, though this was not much talked of. The roots were long thought dead, when unexpectedly they sent up new shoots, and at some more favorable opportunity will rapidly grow up to a sturdy trunk. Hitherto it has been impossible for honorable, conscientious, and trust-worthy magistrates to be established in Rus-

sia ; and till this is done all attempts to improve the state of finances are abortive, as they always have been. When the Emperor is to receive a ruble, the magistrates have been so demoralized by their thralldom that they will try to steal it, before or after it comes into his hands, and will be cunning enough, at least, to get half of it, and beside that, by promoting smuggling, and other improper means, when it is possible, will get also another ruble for themselves. In this manner financial schemes continually fail of producing satisfactory results, but not the less do they oppress, obstruct, and demoralize the people, while the faithless officers, in their political expenditures, waste and embezzle the money got with such pains.

Throughout all the political administration of Russia, a certain boyishness is perceptible. This appears very obvious in the financial operations. Every thing undertaken bears the mark of remarkable imperfection, promises to last but little while, and commonly has a most injurious effect. So a boy robs a flower garden, and will soon lose half his plunder on his way to the brook, and will throw in the other half when he gets there. The garden is robbed and trampled down to no purpose ; what was designed to bear fruit and furnish seed for other fields, is torn away from its native soil, and scattered in spots which will bear nothing. This financial system is a very natural result of the oriental character of this sensual and despotic government. The wild tree can produce only poor and coarse fruit, till mind approaches it ; then it must be hewn down to give place to some nobler growth. The time when attempts at improvement could profitably be made, is passed by, — the worm has already bored too deep into the bole. A part of it remains only to feed the fire, while loathsome filth has already collected in the hollow of the trunk a preparation for death and for another and a new life. In general the Emperor is extraordinarily inclined to favor what is gross, and especially in finance ; commonly he adheres strongly to despotism, and will be an Autocrat. If he were not of a coarse nature he would abandon the political course which his cabinet has followed hitherto, and pursue a more spiritual direction. But in all probability he can only look at the material side of things, and the Slavic clinging to dead forms is entirely natural to him. He is incapable of any lofty spiritual aspiration, of any comprehension of ideas, and can appreciate none but mere materialists as ministers of finance.

ART. VII. — *Report of the Commissioners relating to the Condition of the Indians in Massachusetts.*

WE talk much about the manner in which our Fathers treated the Aborigines of the country; the discussion will have one good effect if it awaken us to the more earnest consideration of our own duty toward the feeble and scattered remnant of those once powerful tribes. The whole number of Indians within the limits of the Commonwealth is eight hundred and forty-seven. Of these none are allowed the elective franchise, many are under guardianship, and many are not allowed any individual ownership in the lands of the tribe. They are practically children, with all the confirmed bad habits, in many cases, of mature age. We acknowledge the question of their treatment is a difficult one, chiefly, if not entirely, however, through our own mistakes and neglect. We talk long and loud about religious liberty, while the State, till very recently, doled out, after the most approved European modes, to the poor red skins, a state religion at their own expense; we declaim, most expensively, brave words, not to be sure "at the bridge,"—but on every 4th of July, about the great efficiency and indispensable necessity of jury boxes and ballot boxes to unfold the moral and intellectual nature of man, but we keep, meanwhile, these eight or nine hundred persons in a perpetual minority, and Nicholas himself could not be more careful lest they get into dangerous proximity to the panel or the ballot. We protest with a violence which is indignant, and would be contemptuous, if contempt were consistent with hearty hatred, against Socialism, but Fourier would smile approvingly could he see the sincere vigilance with which we guard our pupils from competitive selfishness and the risks of individual property.

It must, however, be acknowledged that Massachusetts has much improved upon the example of that "magnificent conspiracy against justice," which we call, by courtesy, the Government of the United States. Our Legislature does not spend all its time in gathering up the ribbons of a Presidential race, or scrambling after the spoils of a political triumph. It finds, or makes, some time to attend to the legitimate business of government. It plans for the better treatment of convicts, (we will not call them all criminals,) it protects the insane, it educates all, except Indians and the colored race in Boston.

The report of this Commission of last winter is another evidence of our interest in our duties. The labor of preparing it must have been arduous, and undertaken as it was with hearty good will, it has resulted in an appeal to the right feeling and good sense of the State, which we cannot think will be in vain. Every thing needed for the basis of legislation seems to be contained in it, harmoniously arranged, precisely stated, and bearing evidence of thorough and accurate investigation.

There are, it seems, eleven tribes within the Commonwealth, or rather remnants enough to perpetuate the names of eleven tribes. These are the Chapequiddic, Christiantown, Gay Head, Fall River or Troy, Marshpee, Herring Pond, Grafton or Hassanamisco, Dudley, Punkapog, Natick, and Yarmouth. "The whole number of Indians or people of color connected with them, not including the Natick tribe, is eight hundred and forty-seven. There are but six or eight Indians of pure blood in the State; all the rest are of mixed blood, mostly Indian and African."

The past policy of the State in regard to these tribes may be described in a few words. They have been held under guardianship; ministers provided for them, paid mainly from charitable funds left for such purposes; their lands declared inalienable, and managed by guardians who were invested, in some cases, with most ill-defined powers over the person and rights of their wards. The conduct of the community itself may be stated still more briefly. They have neglected and despised them according to the true American model of treating all races not blessed with a color like their own. The consequences are, feeble intellect, degraded habits, heedlessness, and total prostration of character.

The feeling of caste, that sentiment from which Coleridge derives the word "unkindness," the fruitful parent of so many evils to the negro race in our land, lies at the root of all the mistakes and wrongs which afflict the Indian. In our community the two great elements of national progress and individual growth are education and the management of property. The child is furnished at our common schools with the tools of his own fortune, and in after life he finds motive to use them. From both these sources of strength the African and the Indian are and have been practically shut out. Of Indian schools, the commissioners well observe,

"The great difficulty with this school, and with all the Indian schools, is, they are isolated. They are not under the supervision

of the committee of any town, form no part of our common school system, and receive none of the impulses which example and emulation impart to other schools. Remove from the schools of any town in the Commonwealth, the influences which they receive as a part of the system, and how long would it be before they would be sunk to the level of these Indian schools?"

It is a mistake to suppose that the whole benefit of our common school system lies in good books, good teachers, and having nothing to pay. Boys teach each other. Imitation, companionship, the playground, the whisper behind the desk, emulation in sports, teach more and go further toward the moulding of character than class lessons or the ferule. Whether foreseen or not, one of the chief blessings of our common school system is, that all classes are educated together. By this means the poor man's child shares the sunshine of the wealthy home. He is seated at the same desk with one whose home is the best school; whose nursery was, unintentionally, a museum; who learns more from the talk of his grown up relatives and his father's guests than the best books can teach him. By the magnetism of a generous rivalry the waters of boyish curiosity, awakened faculties, and keen interest soon stand level in both hearts. Unconsciously he measures himself with his more fortunate neighbour, and reaps the best reward of the struggle — improvement, if not victory. Besides, by this arrangement, those in whose hands, from position and other causes, is the direction of public affairs, are deeply interested to provide the best methods and teachers, and the selfish affection of powerful wealth overflows to guard the best interests of the weaker class. Embarked in one bottom, all must sink or swim together. If this result of our school system was foreseen by those who founded it, it is another evidence of their far-sighted sagacity. If it be accidental, it is only another instance, beside those Jefferson has adduced, to show how often the best results of political contrivances are just those which no one ever dreamt of at the outset. From both these benefits the colored race in Boston, and the Indians every where, are excluded; and hence we say neither have ever enjoyed the aid of education in the broad New England sense of the term. They are called to compete with, and sink chilled by the shadow of, a race whose advantages they are not permitted to enjoy, and who, starting in life under far more favorable circumstances than their poor victims, use

the leisure their greater ability gives them in discussing why it is that all races are naturally inferior to the Anglo-Saxon.

With regard to the other element, property and its management, the evidence is clear that just so far as the Indian has been permitted to take charge of his own affairs, just so far he has shown himself competent to it. More than this, the self-respect engendered by the consciousness of responsibility has re-created his intellectual and moral nature. Of the Chappquiddicks the Commissioners tell us —

“Under the judicious oversight and counsels of their guardian, Hon. Leavitt Thaxter, they are far in advance of any other tribe in the State, in improvements, in agriculture, and, indeed, in the arts and even elegancies of social and domestic life. Twenty years ago, they were preëminently a degraded people, unchaste, intemperate, and, by consequence, improvident; now they are chaste, not a case of illegitimacy, so far as we could learn, existing among them; temperate, comparing, in this respect, most favorably with the same population, in the same condition of life, in any part of the State, and comfortable, not inferior, in dress, manners, and intelligence, to their white neighbours. These favorable changes, they attribute partly to the division of their lands under the act of 1828, each occupant now holding his land in fee, and not liable to be dispossessed at the pleasure of the guardian, as under the old law, but mainly to the salutary influence exerted over them by their guardian. The result has been, new incentives to industry and economy, arising from an assurance of their rewards, and a love of approbation, and self-respect, which are at once the fruits and the guarantees of progress. Nearly all live in good framed houses, most of them comfortably furnished, and many of them with their “spare room” handsomely carpeted, and adorned with pictures and curiosities collected in the eastern and southern seas. Each family owns and improves from five to thirty or forty acres. Generally they are tolerably well supplied with agricultural implements, and nearly all who live by agriculture have one or more yoke of oxen. The stock of the tribe is as follows:—1 horse, 31 horned cattle, 39 swine, 161 fowls, and 12 sheep. The value of estates, *at their own estimates*, varies from two hundred to one thousand dollars.” . . . . “The annual public income is about eight dollars, arising from the rents of the common lands, and applied to the support of the poor. There are now two paupers, who receive aid from the state, amounting, for the present year, to one hundred and twenty-eight dollars. We have no means of ascertaining the whole amount appropriated by the state to this tribe, as the guardian’s account embraces also the appropriations to the Christiantown tribe. Both amounts will be

stated when we come to speak of that tribe. Beyond the aid furnished, as above stated, by the state, the poor are assisted, so far as needed, in addition to the small sum received from the rent of the public lands, by voluntary contribution. As races, they have acquired, in the long school of oppression and proscription, a ready sympathy for individual suffering. In the language of Mr. Thaxter, 'They are kind and considerate to each other in sickness and poverty.'"

"Litigation is almost unknown. Probably in no part of the state, embracing an equal population, are there fewer difficulties resulting in a necessity for legal adjudication."

Of the Christiantown Indians, also, —

"They have now no paupers, and receive no aid from the state. They receive the same amount from the state for schools as the Chappaquiddic tribe, forty-six dollars, and the remarks in relation to the school at Chappaquiddic will apply to these. They have no preaching or religious teaching, the fund formerly appropriated to them being withheld for reasons before alluded to, to be dwelt upon more fully hereafter. Litigation is unknown; they have no grievances for which they ask redress. They are a quiet, peaceable people. They are satisfied with the guardianship system, and have no desire to enjoy the privileges of citizenship. The saddest feature in their case is, that they are too well contented in their condition of ignorance and disfranchisement.

"Occasionally an individual was found who writhed under the crushing weight of civil and social disability. We have, among our notes, the case of one young man, of twenty-two years, belonging to a family of nine children, six older than himself, all of whom had died in the pride of early manhood and womanhood, except one, and that one helpless and blind, in consequence, undoubtedly, of ill treatment at sea. This young man had been one of the best seamen who sailed from the South Shore, and had risen to be second mate; but had come home discouraged, disheartened, with ambition quenched, and now feeds the moodiness of a crushed spirit, by moping amid the graves of his kindred, soon, we fear, to lie down with them, 'where the wicked cease from troubling, and the weary are at rest; where the oppressed sleep together, hearing not the voice of the oppressor.' We tried to awaken him to effort and enterprise, but found it a hopeless task. 'Why should I try?' he asked, in bitterness. 'The prejudice against our color keeps us down. I may be a first-rate navigator, and as good a seaman as ever walked a deck;' (and Mr. Thaxter assured us such was his reputation;) 'but I am doomed to live and die before the mast. I might get to be second, first mate, and, when at sea, I should be treated as such, because



I deserved it; but the moment we fall in company with other vessels, or arrive in port, and our captain invites other captains and mates to dine, I am banished from the cabin to the fore-castle. Why should I try?' We could not answer him, for we felt that we could not pluck from his heart that 'rooted sorrow.'

The legal condition of the Gay Head Indians is singularly anomalous.

"For about thirty years, they have been without any guardian, and the division of their lands, and indeed the whole arrangements of their affairs, except of the school money, have been left to themselves. None of the lands are held, as far as we could learn, by any title, depending for its validity upon statute law. The primitive title, possession, to which has been added inclosure, is the only title recognized or required. The rule has been that any native could, at any time, appropriate to his own use such portion of the unimproved common land as he wished, and as soon as he enclosed it with a fence, of however frail structure, it belonged to him and his heirs for ever. That rule still exists. A young man arrives at maturity, and wishes for a home for a prospective family, or a shelter when he returns from sea; he encloses half an acre, five acres, or ten acres, as the case may be, and he has acquired a fee in the estate; and the most singular and most creditable fact, in connection with this, is, that, while one proprietor has but half an acre, and another has over a hundred acres, there is no heart-burning, no feeling that the latter has more than his share. 'I have all I want,' says the former, and he is content. This state of things is as happy as it is peculiar; how long it can continue, is a problem yet to be solved."

Yet these simple-minded peasants are industrious, provident, temperate, and chaste;

"a quiet, peaceable, contented people. There are among them too many ignorant, degraded, and vicious; but there are, also, particularly among the foreigners, some of the most intelligent men we have found. Litigation is unknown; difficulties of any kind rarely occur. They do not know, and they do not want to know, under what law they live. They only know that 'while they behave well, they get along well enough.' They are jealous of the whites, and with too good reason. They will allow no white man to obtain foothold upon their territory. They have steadily refused to lease to white applicants a foot of land, for the erection of works for the manufacture of clay into the various articles it is capable of making, though tempting pecuniary advantages have been held out to induce them to make only some temporary arrangement. They feel their political and civil disabili-

ties; they feel that they are under the ban of an unrelenting social proscription; but they see no exodus from this bondage; and they only ask to be let alone, and not, by ill advised legislation, to be constantly reminded of their vassalage."

The operation of this responsibility in strengthening and unfolding character, is witnessed further in the most interesting of all the remnants, the Marshpee Indians.

"This tribe have no particular grievances to present. Litigation among themselves is very rare. They suffer inconvenience from the encroachment of the whites upon their fishing privileges. For the adjustment of these, however, under the counsels of the commissioner, and with the aid of legislation which may result from their petition to the present Legislature, adequate provision already exists. The intelligent men of the tribe hope that the time may come when their political and civil disabilities may be removed. For the present, they suggest no material alteration of the system. They feel that they have not realized, from the act of 1834, all the benefit they expected. The difficulty is rather in the mode of administration than in the system itself. The misfortune is, that elevating influences have not been brought to bear upon them, which should gradually prepare them for the privileges of citizenship.

"We feel that we should neglect our duty, did we not give our testimony to the wonderful improvement which has taken place at Marshpee, since the passage of the act of 1834. Previous to that time, they were indolent, ignorant, improvident, intemperate, and licentious. It is not strange that so general a distrust was entertained, at that time, of their ability to manage their internal affairs. But we believe it is admitted now, even by those who most earnestly opposed that law, that the experiment has succeeded; and, though the result may not be all that the most sanguine dreamed, yet, all circumstances considered, it has been all that could rationally be expected. That act provided for the withdrawal of the depressing and degrading influences of the guardianship system, protection against the extortions of greedy and unprincipled speculators, and the partial removal of civil disabilities. All they need now is, judicious counsel and encouragement, in managing their schools, in introducing farther improvements in agriculture and in their domestic arrangements; and, above all, the opening of the way to complete civil and political enfranchisement. With these influences fully at work, we feel entirely confident that, in a few years, the district of Marshpee may claim a place by the side of the other towns of the commonwealth."

The Indians have been carefully nursed with preaching;

but though we doubt not good men have done their best to work miracles, fortunately the laws of Nature have kept steadily on. A race welcomed to none of the fruits of civilization but its vices, whose self-respect, that Indian trait, has been undermined by the general contempt with which it found itself regarded, left for companionship to the refuse of society, "sent to Coventry," instead of being sent to school, proves no apt scholar of spiritual teaching, and disgraces the preacher, not its education; for the tree has brought forth the fruit with which it was grafted. "God gave man a garden before he gave him a law," says old Fuller. We should do well to imitate the example. Had these feeble remnants been crumbled up into the general mass of society, they had partaken the common warmth and growth. But the white race has held them at arms length and then sought, in an unrepenting atonement, to give them there a share of the profits to which they are entitled — as the American church is now pretending to give the Bible to the Slave, whose road to the Alphabet lies through the State Prison. But like the Fakir holding a shrub in his uplifted hand, the man and the tree are both victims of the religious mistake. Put the tree in the ground and work yourself, and then you shall both thrive. Leave the Indian to catch only the fatness that drops from the over-filled cup of New England blessings; remember his soul and forget his skin; he will not need a separate church, and you will hear all the better that he is listening also.

In this connection we must quote, were it only to give it wider circulation, and thence subject the plan to more certain defeat, the account which this Report gives of an attempt to divert from the proper channel the "Williams Fund," about \$13,000, left to Harvard College "for the blessed work of converting the poor Indians":

"We notice that at a late meeting of the Board of Overseers of Harvard College, a distinguished member of the Board proposed that an application should be made to the Supreme Court or to the Legislature, for leave to appropriate the income of the 'Williams Fund' to the support of a College Professorship of Divinity, at Cambridge. We would suggest that it would be as well to include the funds of the Society for Propagating the Gospel among the Indians. It is hardly worth while 'to make two bites of a cherry.' True, the managers of this Society might object. But that would be a trifling obstacle. The clearly expressed intentions of the dead are to be disregarded; why not the rights

of the living? Besides, the end sanctifies the means. It would only be a very 'pious fraud.' We take the liberty, also, to suggest that the most appropriate day for the consummation of this purpose would be the date of the will of Rev. Daniel Williams, giving this fund for the 'blessed work of converting the poor Indians.' Seriously, we have no fear that this proposition will be adopted, if public attention is directed to its nature; but we feel that we are entitled, in behalf of the 'poor Indians,' to enter their protest, in advance, against it, as a misappropriation of the property of the Indians, and a violation of the intentions of the donor."

Republics, it is said, are ungrateful. We might add they have very short memories. A man gives a street to Boston, one of those childless men who, Bacon says, are always planning for the public—it keeps his name alive till he is cold, and then rejoices in the gaudier epithet of "Bowdoin,"—and we have heard that the trustees of a well known Theological School were deliberately trying to bargain the name of their founder for a liberal bequest. But this cool assumption of Indian funds to help out the bankruptcy of Unitarian Christianity were too close a copy of the Hollis transfer, only

*Matre pulchra filia pulchrior.*

But it is time we should glance at the plan which the Commissioners propose for Legislative sanction.

"During the time which has elapsed since we visited the Indians, and became familiar with their conditions and wants, we have given to the solution of this problem our constant and earnest study; and the result has been the following basis of an act for the improvement of the Indians and people of color residing on the Indian lands within this commonwealth.

"1st. A repeal of all laws relating to the Indians, (with a modification of those relating to the district of Marshpee and the Herring Pond Plantation, at least, in relation to a separate commissioner,) and the enactment of a uniform system, to apply to all the tribes in the state, in the spirit of modern philanthropy.

"2nd. The merging of all, except those at Marshpee and Herring Pond, and Martha's Vineyard, in the general community, giving to the selectmen of the towns to which they are annexed the management of the funds belonging to them, and of the sums appropriated by the State for their support, not as paupers, but as the wards of the State, the inalienability of their lands being secured, except when it is voluntarily surrendered, by the assumption of the elective franchise, as provided in the next section.

"3rd. Grant to any one who wishes it the privileges of citizen-

ship, involving the liability to taxation, when any one accepts the privilege of voting; the privilege of voting to be allowed to those accepting it and paying a poll-tax, whether the towns tax real or personal property, or not; and when the towns do tax the real or personal property of one thus accepting the privilege of voting, they shall become liable for the support of the individual and his descendants, as in the case of other citizens; and when the privilege of citizenship is once assumed, and the right of taxation once exercised, the individual, from that time forth for ever, shall be, to all intents and purposes, a citizen of the state, and debarred from returning to the condition of an Indian.

"4th. The appointment of one Indian commissioner, who shall direct the application of all moneys appropriated by the state for the benefit of the Indians, and who shall devote his whole time, if need be, to their improvement, especially to devising means for gradually preparing them for the privileges of citizenship.

"Upon the first point, we think there can hardly be a difference of opinion."

"2nd. The merging of the smaller remnants in the general community. We entertain not the slightest doubt that this, with the restrictions afterwards indicated, is desirable and practicable. The Fall River, Dudley, Grafton, Punkapog, and Natick, are few in number; and, as the inducements to remain on their lands are small, they are more and more scattering every year, never to return. They have but little land, or property of any kind, have no separate schools or preaching, and receive no money for these purposes, either from the State or benevolent societies. They will soon lose their individuality, as other tribes have done. The lands of the Punkapog and Natick tribes are already all sold; the Legislature will undoubtedly, before long, be called upon to provide for the sale of the lands of other small tribes. The course we recommend we believe to be in accordance with sound State policy, and with a humane regard for the welfare of the Indians.

"3rd. There are difficulties connected with the matter of gradually extending to the Indians the privileges of citizenship; but none, we are convinced, which may not be overcome by an earnest and intelligent effort to accomplish so desirable a result. We need not repeat our conviction that the only way to provide for the permanent improvement of the Indian, is to show him the path of escape from political and civil disfranchisement; and we believe that the plan we recommend, with the restrictions suggested, and others which will occur to those whose duty it shall be to arrange the details of the law, while it imposes no liabilities either upon the Indian or the town which they do not voluntarily assume, opens to the Indian a certain prospect of civil, political, and social elevation.

"4th. But, whether the other recommendations be adopted or not, we regard the appointment of a single commissioner, instead of the several guardians and the commissioner of Marshpee, as indispensable to the improvement of the Indians. They have been so long under disabilities as to be, as a whole, incapable, at present, of self-government; still there is enough of the Indian impatience of restraint to make them dislike the idea of guardianship. They need counsel, advice, encouragement; almost universally they are teachable and accessible to kind influences. A single commissioner, intelligent, sagacious, and prudent, acting upon system, and devising means of *permanent* improvement, entrusted with discretion to apply the funds appropriated by the State for their benefit, would contribute, more than any other instrumentality we can conceive, to their permanent welfare, and to prepare them for the privileges of citizenship. The influence of the guardian must be purely parental. The smallest element of dictation or control, in any system designed for their improvement, will defeat all its aims. They have too good reason to be jealous of the white man, to be ready to acquiesce in any measures which are not, to their own comprehension, benevolent in their motives and tendencies. The whole success of any system of measures, the only hope of any permanent improvement, will depend upon the character of the commissioner. The amount now paid annually, for the salaries of the commissioner of Marshpee and Herring Pond and the several guardians, is \$540. This is somewhat less than the average for the last six years. A small addition to this amount would secure the services of a competent person, as commissioner, for the whole state. The advantages arising from the familiarity of the commissioner with the facts necessary to be known to the committees of the Legislature, would alone equal the amount of his salary. We earnestly recommend this matter to the favorable consideration of the Legislature."

"While, therefore, the Legislature should not impose upon them any change which they do not voluntarily adopt, they owe it to the advantages of their position to recommend such measures as they think would conduce to their improvement, and to tender to them every facility for a fair trial of those measures. Disfranchisement and depression have almost become the normal condition of the poor Indians; they cannot appreciate the almost miraculous power of a cordial recognition and a practical application of the principle of Liberty, Equality, and Fraternity, at whose Ithuriel touch, nations have, during the past year, been literally 'born in a day.' We boast of the successful solution of the problem of self-government; but we exclude from its operation nearly a thousand of our citizens. It is not enough to assert, until the Indian has been brought within the reach, at least, if not under the full influence, of complete civil and political enfran-

chisement, that it will not exert the same vivifying influence upon him as upon the Anglo-Saxon."

"No man can say what would have been the present condition of the Indians, but for these disabilities. It will not do to say that the Indian is incapable of improvement. The experiment has never been fairly tried. Efforts have been made to Christianize and elevate them; and we are gravely told that, because they always have failed, therefore they always must fail; but it seems to have been forgotten, that the effect of these efforts has always been controlled by the crushing influence of civil and political disability, and, as a necessary result of these, of social proscription. It is, as Frederick Douglass says in relation to the incapacity of the African race for improvement—himself an eloquent refutation of the falsity of the affirmation:—'Sixteen millions of Anglo-Saxons grind to the very dust three millions of Africans. Take your heels off our necks, and see if we do not rise.' We have treated the Indians as wards, serfs, vassals, slaves. We have taken the management of their property, and have allowed it to be squandered and lost. We claim the right to dispose of their persons, giving their guardians the power to bind them out, as minors, and to appropriate the proceeds of their labor, at their own almost irresponsible discretion. That this power has not been abused, is owing to the character of the guardians, and to a state of public opinion, which, unfortunately, has not yet infused itself into the laws. Can we hesitate as to the duty of the commonwealth to those whom Chief-Justice Parker terms 'the unfortunate children of the public.'"

No words of ours can add anything to these lucid and comprehensive statements of the Commissioners. Every humane man is their debtor for the patience with which they have investigated this subject; and none can be offended with a zeal which keeps so singularly within the bounds of moderation, after months spent in the consideration of so touching and painful a picture. "There is a prudent wisdom, and there is also a wisdom which does not remind us of prudence," says a thoughtful writer. If the calculating conservatism of the State House must still scorn the latter, we do not see how it can refuse to place the plan of the Commissioners among the best fruits of the former. While the humanity of the State gathers up the blind, the dumb, the idiot, and the insane; while strong friends compel attention to the slave, let us see for once the mercy of the majority toward those whose only plea is their feebleness, their friendlessness, and their wrongs. The first word from Indian lips that our annals have

preserved is "Welcome." Let us so govern that the last farewell of the going out of the race may be "Thanks." Whatever Men may say of our conduct toward them when their fortune was at high noon, let History have it to record that their sun went down in peace. Our Institutions have not proved themselves very wonderful, if they only give new vigor to a race that was already blossoming under the best culture of the old world—the ripe fruit of English polity and life. Let them be shown capable of redeeming the African from the long degradation of centuries, of returning the "welcome" which the red man gave us to his new world by lifting him to the level of our own civilization, and endowing him with the treasures of the past, and the capacity to use and enjoy them.

There is one moral to be drawn from this experiment of Indian life in the midst of us, which throws light on the solution of a question esteemed so dark and difficult that every, the least, ray from any quarter should be welcome. "How shall Slavery be dealt with?" The Indian, few in numbers, separated by an insolent barrier of caste from the dominant race, isolated at school and church, put under guardianship that he might, in time, be fitted to spend his own money and vote for his neighbors, is found, after the lapse of a century and the trial of three generations, where? In such plight that humanity weeps, and the best state-craft is dumb and confounded. We commend the picture to the careful consideration of those who propose for the Slave a gradual emancipation, apprenticeship, pupillage, a preparation in the mill of white mercy for the care of himself, a holding in leading strings; till he too is ready for the ballot box. No: but till, three generations wasted in the experiment, our great grandchildren shall weep over his wretchedness, and curse the short-sighted and cruel disbelief of their fathers in the great law that Right is always expediency.

For Massachusetts we hope the considerable experiment of her Indian tribes will be enough to induce her to hold on to the principle she has so often avowed, of immediate, unconditional enfranchisement, having learnt from the sacrifice of her thousand sons, at least, this lesson, that to be free is the only discipline which can fit man for freedom, and that patience under the temporary evils of the first years of such emancipation are the inevitable atonement the son must make for the sin of his fathers.



**ART. VIII. — THE ADMINISTRATION OF THE LATE  
MR. POLK.**

THE administration of Mr. Polk took place at an important period in the affairs of the nation; it is connected with some of the most remarkable events which have happened in America since the adoption of the Constitution — events which will deeply and long affect the welfare of the people. The time has not yet come when the public, or any person, can fully appreciate the causes then put or kept in action. But the administration was so remarkable, the events connected with it so new in our history, and so important, that it seems to us worth while to pause a moment and study this chapter in American politics, with such light as we now possess. It becomes the more important to do this just as a new Congress is about to assemble, while the government is connected with a new President not very well tried in political affairs. In judging the contemporary events of our country it would be ridiculous in us to pretend to the same coolness and impartiality which it is easy to have in studying the politics of times a thousand years gone by; still, we think we have no prejudice against Mr. Polk or his administration, or in favor thereof; certainly we do not look through the partizan eyes of a Democrat, or a Whig, or a Free Soiler, but are ready to praise or blame an idea, a measure, or an act, on its own account, without asking what political family it belongs to.

The materials for the history of this administration are abundant and accessible. We make no pretensions to a knowledge of the Secrets of either party; they would be of small value if known. The volumes of private and confidential letters of some New York politicians, of which so much talk was made a few years ago, contain much matter for gossip, some even for scandal, little for history, and for political philosophy nothing at all. We neither seek nor welcome information from such quarters. In politics, as in all science, the common and obvious facts are of the greatest value. With the secret history of the Baltimore Convention, of the Congress, or the Cabinet, we have nothing to do, only with their public acts. Our information will be drawn chiefly from public documents.

We have nothing to say of the personal character and private motives of the distinguished actors in the political drama.

Politicians are as honest as the majority of men would be, exposed to the same temptations, under the same circumstances. The misdeeds of other men are done on a small scale, or in an obscure way, while the private character of a politician becomes public, his deeds appear before the sun. If the transactions of State street and Wall street were public as the acts of Congress, men would not think more highly, perhaps, of mercantile honor, than now of political integrity. A little acquaintance with political doings shows a looker on, that while each party is, consciously or blindly, led forward by its idea, and so helps or hinders the progress of mankind, under similar circumstances, the one has about as much patriotism and political honesty as the other. In point of deeds the party that has been long in power is certainly more corrupt than the opposite party, who are limited by their position to longings and intentions. So the apples which have long been exposed for sale in a huckster's basket, get bruised with the huckster's attempts to show only their fair sides, and with frequent handling by the public, and begin to rot sooner than other apples from the same branch, but kept out of sight in the barrel, which otherwise resemble them "as much as one apple is like another." The party that is full and the party that is hungry seldom differ much in their political honesty.

In estimating the administration of men like Jefferson and Jackson, men of decided thoughts or decided deeds, the personal character and opinions of the President are important elements to be considered. But Mr. Polk was remarkable neither for thought nor action; he had no virtues or vices to distinguish him from the common run of politicians, who swim with the party tide, up or down, in or out, as it may be. His character seems to have had no weight in the public scale, and does not appear to have given the balance a cast to either side. He might follow a multitude, in front or rear—he could not lead. God never gave him "the precious gift" of leading. For his office, no qualities marked him more than a thousand other men in the land. Like Mr. Harrison and Mr. Tyler, he was indebted for the presidency to "the accident of an accident." So the God Apis was selected from other bullocks for some qualities known only to the priests: though to laical eyes he was nothing but a common stot, distinguished by no mark and likelihood; soon as selected he became a God, and had the homage of his worshippers. The nomination of the Apis might be one "not fit to be made," but when

clerically made it always had the laic confirmation, and no Apis was ever found too brute to receive worship.

It was said in 1848, that it was not of much consequence who was President if he were only a Whig; it did not require much ability to fill the office; much acquaintance with the Philosophy of Politics; nor even much knowledge of the Facts of Politics; nay, not any eminence of character. Mr. Polk was not the first or the last attempt to demonstrate this by experiment.

His private life was marred by no unusual blemish, and set off by no remarkable beauty. He kept the ten commandments very much as other men; was sober, temperate, modest in his deportment; what seems latterly rather unusual for a President, he did not swear profanely. On his death-bed he "professed justifying faith in the Lord Jesus Christ," "relying alone for salvation on the great doctrine of atonement," and "received the ordinance of baptism;" thus he secured a good name in the churches, not yet accorded to Franklin and Washington. Estimating him by the ordinary standard about him, the true way to judge such a man, he has been set down as an exemplary man, using his opportunities with common fidelity. Some official acts of his were purely official. His friends, since his death, claim but little for him. Eulogies are not supposed to limit themselves to telling the truth, or to extend themselves to telling the whole truth. Still they are a good test of public opinion. Burr got none; General Jackson had many; those on Mr. Polk were chiefly official, and their temperature, for official panegyrics, was uncommonly low, plainly intimating that little could be made of such a subject. Mr. Polk was hardly susceptible of rhetorical treatment after death. While in power he could easily be praised. We shall take it for granted that, excepting some of the eminent leaders, almost any prominent man in the Democratic party, if made President under such circumstances, would have done very much as Mr. Polk did; would have been merely a portion of the party machine. Last year the Whigs said, also, it was not very important what the personal opinions of the President were.

After eliminating these elements which we do not intend to speak of, the matter becomes quite simple: we have only to deal with the Ideas of the Administration,—the Measures proposed as an expression thereof,—and the Acts in which these Ideas took a concrete form. These, of course, will be com-

plicated with the adverse Ideas and Measures of the other party. Such is the theme before us, and such the scheme of this paper.

However, to understand the Ideas, Measures, and Acts of the Administration, it is necessary to look a moment at the state of the nation when Mr. Polk came to power. In our Foreign Relations all was serene except in the English and Mexican quarter. In the one the weather seemed a little uncertain; in the other there were decided indications of a storm.

In 1842, Mr. Webster, for a short time dignifying the office of Secretary of State, had performed the most valuable public service he has yet rendered his country. He had negotiated the treaty of Washington by which the North-eastern Boundary was settled. That was a very important matter, and Mr. Webster deserves the lasting gratitude of both nations for the industry, courtesy, and justice with which he managed that complicated, difficult, and vexatious affair. He is often celebrated as the Defender of the Constitution, but his services in that work, when looked at with impartial eyes, diminish a good deal, and perhaps will not be much spoken of when a few years have dispelled the mists which hang over all contemporary greatness. It was a real dignity and honor to negotiate the treaty. Certainly there were few men, perhaps not another in the nation, who could have done it. We do not mean to say that a board of civil engineers, or three good, honest men could not as well settle questions in themselves more difficult. But such was the state of feeling in England and America, that none but a distinguished politician could be trusted with the matter, and none possessed the requisite qualities in so eminent a degree as Mr. Webster.

There still remained another affair to be settled with England: we refer to the boundaries of Oregon. That question was purposely made difficult by some small politicians who exasperated the public on both sides of the water. The cry was raised "Oregon or fight;" "the whole of Oregon or none;" "54, 40." The legislature of Maine went a little further north, and shouted "54, 49." Some men, whose names are by no means forgotten, made a great outcry, and egged the ignorant headlong towards dangerous measures, threatening "war with England;" men, who, like frogs in the spring just escaping from their winter of obscurity, for their own purposes, made a great deal of noise with very little sense. The

intrinsic difficulty of the case was very small. England made large pretensions; so did we; both desiring a wide margin of oscillation before they settled down on a permanent boundary. But England was pacific, though firm, and not foolish enough to wish to fight with one whose peace was so profitable. A war between England and America is, on each side, a quarrel with a good customer. That is the mercantile aspect of the case. An administration which should seek honestly to settle the Oregon question would find no difficulty; had Mr. Webster remained a year more in the cabinet, we doubt not this affair, also, would have been amicably settled, and the country saved a good deal of wind.

Affairs certainly looked threatening in the neighbourhood of Mexico; there were troubles past, present, and to come. Americans had excited the revolution in Texas; fought her battles, and fomented her intrigues. Texas had just been annexed, or, as the phrase originally was, *re-annexed*. Texas and Mexico had been long at war; though not actively fighting at the time of annexation, the war was not ended. We took Texas with a defective title, subject to the claims of Mexico. If she did not prosecute those claims it was because she was too feeble, not that she had relinquished them. That was not all — we had insulted Mexico, and deeply injured her; not by accident, but with our eyes open, and of set purpose. We had wronged Mexico deeply, and then added new insults to old injuries. What made our conduct worse, was the fact that we were powerful, and Mexico defenceless. The motive which lay at the bottom of all, makes this accumulated baseness still more detestable; it was done to establish a bulwark for American slavery.

In a former number of this journal we have already spoken of the origin of the Mexican war,\* but will now add a few words respecting the scheme of annexation. In 1803, Mr. Jefferson purchased Louisiana of France, a vast territory west of the Mississippi, for \$15,000,000. He thought he transgressed the Constitution in doing so, and expected an "act of indemnity" by the people, to justify the deed.† The Senate thought otherwise. Slavery was already established in Louisiana. In 1812, the present State of Louisiana was admitted to the Union with a constitution authorizing Slavery. In 1820, a new State was formed from what had been the more north-

---

\* See No. I, Article I.

† See his Message of Oct. 17th, 1803, and his letter to Mr. Breckenridge.

ern portion of Louisiana. Should it be a slave state, or free? That was the question. The South, "on principle," favored Slavery; the North, "on principle," opposed it. But both parties laid aside their "principles" and made a compromise, such as Mr. Clay and Mr. Clayton so much admire. Slavery was allowed only South of Mason and Dixon's line,  $36^{\circ} 40'$  of north latitude. This was the famous "Missouri Compromise." But only a small part of Missouri lay south of the line. All the new territory, therefore, could make only two Slave States, Louisiana, and Arkansas. In 1836, Arkansas was admitted into the Union. Florida territory alone remained to be made into Slave States. Thus the territorial extension of the Slave power was at an end, while vast regions were left into which the stream of Northern enterprise continually poured itself; the North rapidly increased in numbers, in wealth, and in the political power which wealth and numbers give; the rapid rise of new States was to the South a fearful proof of this.

The North has always been eminently industrial, particularly eminent in the higher modes of industry, work that demands the intelligent head. The South has always been deficient in industry, especially in the higher modes of industry. The North has an abundance of skilled labor; the South, chiefly brute labor. This industrial condition of the South is almost wholly to be ascribed to the institution of Slavery, though perhaps something must be allowed for the climate, and something for the inferior character and motives of the original colonists who settled that part of the country. But while the North is industrial, the South is political; as the North sends its ablest men to trade, so the South to politics. The race for public welfare and political power was to be run by those two competitors, "not without dust and heat." After the Revolution, the opposite characteristics of the North and South appeared more prominently than before. The North increased rapidly in numbers, and outpeopled the South. The Revolution itself showed the comparative military power of the "Southern chivalry," and the hardy industry of the North.\*

---

\* "Let us compare a slave State, and a free one, of about equal population. In 1790, South Carolina contained 249,073 persons; Connecticut 238,141. Supposing the population, during the war, only two-thirds as great as in 1790, then South Carolina contained 166,018, and Connecticut 158,760 persons. During the nine years of the war, South Carolina sent 6,417 soldiers to the continental army, and Connecticut 32,039. In 1790, Massachusetts contained

After the adoption of the federal Constitution, the North increased with still greater rapidity, and began to show a decided superiority to the South. This is partly the result of the industry of the North; but in part the result of our navigation laws, which gave American bottoms a great national privilege. Most of the ships belonged, as they still do, to the North; they were the fruits of her industry. Did the Constitution guarantee slavery to the South, it *protected the ships of the North*. The South got a political advantage, and the North a commercial privilege, whose value in dollars has been greater than that of all the slaves in the United States. In all contests about money, the North carries it over the South; in all contests for immediate political power, the South over the North.

Some thirty years later, the nation changed its policy. It had taken pains to encourage commerce, and had a revenue tariff. Now it took pains to restrict trade, and established a protective tariff; so the North engaged in manufactures to a greater degree than before. The South could not do this: the slaves were too ignorant, and must remain so as long as they are slaves, otherwise they could not be kept together in the large masses which manufacturing purposes require; the whites were too indolent and too proud. The South continued to increase constantly in numbers and in wealth, but compared with the North, she did not increase. In America, political power is the resultant of wealth and numbers; it soon became plain that the political centre of gravity was travelling northwards continually, and with such swiftness that the South before long would lose the Monopoly of the Government, which she had long enjoyed by reason of her political character, and which the North cared little for so long as money could be made without it. The prosperity of the North rests on an industrial basis, that of the South on a political basis.

So the South must contrive to outweigh the North. How? Not by industry, which creates wealth directly, and indirectly

---

475,257 souls; during the Revolution, according to the above ratio, 316,838. While the six slave States, with their free population of 1,307,549, furnished but 59,336 soldiers for the continental army, and 10,123 militia men. Massachusetts alone sent 68,007 soldiers to the continental army and 15,155 militia. Thus shoulder to shoulder Massachusetts and South Carolina went through the Revolution, and felt the great arm of Washington lean on them both for support."—*Letter to the People of the United States touching the Matter of Slavery*, pp. 99, 100.

multiplies men, but by politics. The North works after its kind, and is satisfied with the possession of commerce and manufactures; the South, after its kind, rejoices in Slavery, and thinks to outwit the laws of Nature by a little juggling in politics. Behold the results. To balance the North, the South must have new slave states to give her power in the federal government. New territory must be got to make them of.

Texas lay there conveniently near. It had once been a part of Louisiana, as far west as the Nueces. In 1819, James Long went from Natchez in Louisiana to Nacogdoches in Texas, and, on the 23d of June, declared the independence of the republic of Texas.\* About two years later, Mr. Austin and his colony went thither from Mississippi, carrying their slaves with them. In 1826, another insurrection took place, under Benjamin W. Edwards, and another declaration of independence followed. At that time the American government did not interfere nor much covet the territory. Texas was a convenient neighbour, and not a dangerous one; slaveholders could migrate thither with their slaves. But in 1824, the Mexicans forbid the introduction of slaves, and declared all free soon as they were born; Mexico refused to surrender up fugitive slaves. In 1827, Texas and Coahuila were united into one state with a constitution which allowed no new slaves, born or brought thither, and in 1829, Mexico emancipated all her slaves.

Soon as Mexico made advances toward emancipation, the American government began to covet Texas.† In 1827, under the administration of Mr. Adams, an attempt was made to purchase Texas; \$1,000,000 were offered. In 1829, Mr. Benton desired "the *retrocession*." His reasons are instructive:— we have now "a non-slaveholding empire in juxtaposition with the slaveholding South-west;" and "five or six new slaveholding states may be added to the Union." Yes, "nine states as large as Kentucky." A Charleston newspaper desired it because "it would have a favorable influence on the future destinies of the South, by increasing the votes

---

\* Speech of Hon. Luther Severance in the House of Representatives, February 4th, 1847, p. 12

† This subject has been ably treated by Judge Jay, in his "Review of the causes and consequences of the Mexican war." (Boston. 1849. 12mo. pp. 333.) We are indebted to it for several facts. Mr. Porter, in his "Review of the Mexican War," &c., &c. (Auburn, N. Y. 1849. 12mo. pp. 220,) takes a different view, but writes an impartial and valuable book.



of the slaveholding states in the United States Senate." \* In 1829, in a Virginia convention, Judge Upshur said, the annexation of Texas "would raise the price of slaves, and be of great advantage to the slaveholders of that State;" in 1832, Mr. Gholson, in the Virginia Legislature, thought "it would raise the price of slaves fifty per cent. at least." To sharpen the public appetite for Texas, in 1829 the cry was raised that "England wanted Texas; British merchants had offered to loan Mexico \$5,000,000 if she would place Texas under British protection." This trick was frequently resorted to, but now it is plain to the public that the apprehension was groundless. The same year, the first of Gen. Jackson's administration, our minister offered \$5,000,000 for Texas; the offer was rejected. He then offered a loan of \$10,000,000, taking Texas as collateral security; that, also, was rejected. He tried, also, but in vain, to obtain a treaty for the surrender of fugitive slaves.†

In 1840, considerable talk was made about the annexation. The state of Texas had made large grants of land to various persons, some of which had been bought up by Americans. So in addition to the general desire of the slaveholders, the owners of Texan lands had a special motive to stimulate them. Joint-stock companies were formed in the United States; there were the "Galveston Bay and Texas Company;" the "Arkansas and Texas Company;" "the Rio Grande Company." These had their headquarters at New York. Then there was the "Union Land Company," and the "Trinity Land Company," and others whose names we remember not. In Mississippi and Arkansas, attempts were publicly made to excite the people of Texas to revolt. In 1830, candidates for Congress in Mississippi were publicly catechised as to their opinion of annexation. The same year Samuel Houston got up his expedition to wrest Texas from Mexico. In 1832, Mexico was obliged to withdraw her troops from Texas, to suppress disturbances in other quarters; emigrants continually went, with their slaves, from the United States. In 1833, Texas organized herself as a separate State. Mexico refused her assent, and sent troops which were repulsed. As Mr. Jay says, "The standard of rebellion was raised. Texan agents traversed the United States, addressing public meetings, enlisting troops, and despatching military supplies to the

---

\* Jay, page 13.

† Executive Documents No. 25, 19th Congress, 2d Session; also No. 23.

revolted province. On the 2d of March, 1836, the insurgents issued their declaration of independence, and fifteen days after adopted a constitution establishing perpetual slavery." "Of the fifty-seven signers to this declaration, fifty were emigrants from the Slave states, and only three Mexicans by birth."\* The constitution prohibited the importation of slaves *except from the United States*; but every negro in Texas, or who might come there, was declared a slave!

During the war between Mexico and Texas, the American government took little or no pains to prevent our citizens from aiding the Texans; vessels were openly fitted out in our harbours, and sent to war on a friendly power, yet the Secretary of State had the hardihood to say the President (General Jackson) "took all the measures in his power to prevent it;" Mr. Van Buren in his letter to Mr. Hammet, says the same thing. Yet he allowed the Brigadier General of the Texan army publicly to advertise for volunteers for that army, in the State of North Carolina, and to enlist soldiers. The Mexican minister protested; it was all in vain. The president sent General Gaines with an army to lie on the Texan frontier, ready to further the designs of our citizens against Mexico. He was ordered to advance as far as Nacogdoches, if needful, and Mr. Forsyth told the Mexican Minister "our troops might, if necessary, be sent into the heart of Mexico." Our government tried to force Mexico into a war with us. American troops were on the soil of Mexico; her Minister complained, and requested that they might be withdrawn, the answer is "No." Two days after, (Oct. 15th, 1836,) the Mexican Minister demands his passports and goes home.†

Mexico was too feeble to fight. Neither our infraction of a treaty, nor the insults added to that injury could provoke her to a war. Other measures were to be tried; the American government got up its "claims" on Mexico—fifteen in number. Of these we have not now space to speak.‡

On the 1st of March, 1837, the Senate acknowledged the independence of Texas; a minister was sent and one was received. In August, 1837, General Hunt, the Texan minister,

---

\* Jay, p. 18.

† See the correspondence between Mr. Gorostiza and Mr. Forsyth, and Mr. Dickens, in Executive Documents, No. 2, 24th Congress, 2d Session.

‡ See the correspondence relative to this matter in Executive Documents, No. 139, 24th Congress, 2d Session, and Executive Documents No. 3, 25th Congress, 2d Session, p. 31, *et seq.*, 40, *et seq.*; Nos. 190, 347, 360; also Nos. 78, and 351. See the remarks of Mr. Jay, chapters V. VI, IX,—XI.

proposed annexation. Mr. Van Buren was then President: he has been called "the Northern man with Southern principles," though we think he deserves the title rather less than some others not so stigmatized. The offer of annexation was declined: Mexico was still at war with Texas; the Legislatures of New York, Pennsylvania, and all the New England States had protested against annexation. In regard to Texas Van Buren did not "follow in the steps of his illustrious predecessor." During his administration little was done to promote annexation. Nothing by the government. The third non-slaveholding President did not desire to extend the area of bondage. The consequences we shall presently see.

In 1841, the Whigs came into power with the shout of "Tippecanoe and Tyler too"; as an English traveller has said, "Log cabins with their songs and speeches, their orgies on bacon and hard cider had more to do with the election of Gen. Harrison, . . . than had less exceptionable means."\* The Whigs thus gave the Democrats an opportunity, much needed, to turn themselves out of office. We have nothing to do with the motives which led the Whigs to select Mr. Tyler for their candidate for the Vice Presidency. They are too plain to need comment. The nomination was characteristic of the party. What followed would once have been regarded as "judicial," a "direct intervention of God" to punish an artifice. Mr. Tyler, becoming President, was true to his former character and conduct. He set about the work of annexation in good earnest. Commodore Jones was sent with a fleet to lie on the western shore of Mexico—to be ready in case of any outbreak with America. His conduct shows the expectation and design of our government. Mr. Upshur, the Secretary of State, is a good exponent of the policy of the administration. In Sept., 1843, he says "few calamities could befall this country [the United States] more to be deplored than the establishment of a predominant British influence [of which there was not the least danger,] and the *abolition of domestic slavery in Texas!*"† General Lamar, once president of Texas, had written to his friends in Georgia that without annexation "*the anti-slavery party in Texas will acquire the ascendancy . . . and may abolish slavery.*" . . .

---

\* Mackay's Western World, &c. London. 1849. Vol. II. pp. 25-6.

† Upshur's Letter to Murphy, (our Agent at Texas,) Sept., 1843. Executive Documents, No. 271, 28th Congress, 1st Session.

For "*the majority of the people of Texas are not owners of slaves.*" \*

On the 11th of October, 1843, Mr. Upshur took the initiative and proposed annexation to the Texans; he told them, on the 16th of Jan., 1844, that without annexation "they cannot maintain that institution [Slavery] ten years; probably not half that time." † If Texas is not annexed, he says again, "the people of the Southern states will not run the hazard of subjecting their slave property to the control of a population who are anxious to abolish slavery." Mr. Upshur was not so crafty as Mr. Murphy, his agent at Texas. He says: "Take this position on the side of the constitution and the laws, and the civil, political, and religious liberties of the people of Texas secured thereby, (saying nothing about abolition) and all the world will be with you;" say "nothing which can offend even our fanatical brethren of the North; let the United States espouse at once the cause of civil, political, and religious liberty in this hemisphere." ‡ A treaty was made, but "our fanatical brethren of the North" were offended, and on the 8th of June, 1844, the Senate rejected it by a vote of 35 to 16. §

"The immediate annexation of Texas" was now the favorite measure of the slave power. They had little fear that, in the next presidential term they could repeal the tariff of '42, but felt doubtful of the success of annexation. Mr. Upshur feared New England; || had he lived at Boston, and known the influences then controlling New England, he would have seen there was no reason for present fear. A presidential election was at hand; the Democratic convention was to meet at Baltimore in May. Mr. Van Buren was the most prominent candidate of the party. Most of the delegates to the convention had been instructed by the primary assemblies which appointed them, to support him. But he was a Northern man; while President he had *not* favored annexation; he had lately written a public letter, (April 20, 1844,) and plainly declared himself hostile to annexation as then proposed. ¶ Mr. Ritchie,

\* Jay, pp. 87, 88.

† Executive Document, No. 271, 28th Congress, 1st Session, p. 46.

‡ Letter of Sept. 23d, 1843, and Sept. 24th, *ubi sup.*

§ See Mr. Tyler's Special Message of April 23d, 1844, and his Annual Message of Dec. 5th, 1843.

|| See his Letter to Mr. Murphy, [No. 14] Executive Document, No. 271, *ubi sup.*

¶ See his Letter to Mr. Hammet, in Niles' Register, new series, Vol. XVI. p. 153, *et seq.*

"the senior field-marshal of Van Buren's party," forsook and opposed his old friend. Mr. Cross, of Arkansas, "would not vote under any circumstances for a man opposed to the annexation of Texas;" Van Buren was "not the proper person for the party to rally around in the coming struggle;" "nine out of ten of our friends think so. The Tyler committee wrote on their card, as for Van Buren, "Texas has destroyed him;" "the last, best, and wisest counsel of Andrew Jackson was — the annexation of Texas."

The convention assembled; Van Buren got more than a majority, but could not get two-thirds of the votes. Candidates were numerous. There were some that proposed Cass, Calhoun, Buchanan, Tyler, Tecumseh-Johnson; some even thought it best to take again Andrew Jackson — "gallant old Ironsides." Even Commodore Stewart was talked of. When the political tide ebbs clean out of the harbor, strange things appear on the bottom, only seen on such occasions. Men thought it very surprising that such a man should be spoken of — certainly it had no precedent, and he no political experience. Now the nomination would not be at all surprising or irregular. The Commodore's letter looks silly enough now. But who knows if only elected, that he would not have been as great a man as Mr. Polk, nay, as Tyler, or Taylor? He was for "immediate annexation," and would "throw ourselves on the justice of our cause before God and the nations." Valiant Commodore; he might have been as great a man as Mr. Polk, had the tide of nomination *served* in his favor.

After all the mountainous labor of the Baltimore Convention, there came forth Polk; Mr. James K. Polk. Men wondered. "Who the Devil is James — K — Polk?" said many Democrats; and when told, they thought it was "a nomination not fit to be made." None of them proved it, by facts and arguments, quite so faithfully as the distinguished author of that phrase did on a recent occasion at Marshfield; they left that for Mr. Polk to do, (not by logic, but by experiment,) and he did — we shall see what he did, in due time. Mr. Van Buren was "sincerely desirous for their success," the success of the nominees.\* The Whigs were pretty firmly united in support of Mr. Clay, "Harry of the West," and "that same old Coon," as he has publicly called himself. He was not, publicly, much opposed to annexation, nor much in

---

\* Letter of June 3d, 1844.

favor of it, and in respect to that was a pretty good index of his party. Yet some Whigs were seriously and conscientiously opposed to the annexation of Texas as a slave territory; so were a few Democrats, who constituted the moral element of the party. Both of these minorities have since reported their presence in the politics of the land, indications of something yet future. It was a rash movement of the party, this changing their leader and their line on the very brink of battle, under the guns of their opponent, already put in battery and ready to fire; but they were confident in their strength, and were so well drilled that they only needed the word of command, to perform any political evolution or revolution.

It is a little curious to look back. On the 3d of March, 1843, twenty-one members of Congress solemnly declared that "annexation would be identical with dissolution; would be an attempt to eternize an institution and a power of a nature so unjust . . . as . . . *not only to result in a dissolution of the Union, . . . but fully to justify it.*" Five of the twenty-one were from Massachusetts. "A good memory is" not so "needful to a" politician, as to another class of persons not named among gentlemen. The protest of March 3d was not very distinctly remembered at a later date by every one of the signers thereof.

At the other extreme was the State of South Carolina. This is a very remarkable State, and her doings—we mean the doings of her lips—deserve a special notice. Before the Baltimore Convention, it was necessary for that Empire State to speak out, her trumpet giving no uncertain sound. So, on the 15th of May, the people of Charleston, who had "forborne to give any public declaration of . . . opinions and wishes, . . . and patiently waited," at length and solemnly "resolved" that annexation is "an American and national measure, antagonistic to foreign interference ["still harping on my daughter"] and domestic abolitionism"; "if the treaty for the recovery (!) of Texas be defeated because of the increase it will give to the slave-holding states, it will be the denial of a vital right to them."

Even after the convention, the danger of the patriarchal institution is so great that there must be "a Southern convention." The "South Carolinian," of May 30th, said, annexation is "a question not of *party*, but of *country*, and to the South one of absolute *self-preservation*"; "under the subtle encroachments of our old enemy of Britain, aided by the

traitorous abolitionists at home, . . . her doom is sealed if she does not arise in her might . . . and affect a union with Texas"; "England once firmly seated in Texas, and there is an end of all power or safety for the South, which would soon be made another St. Domingo." A convention of Slave States was to be called "to take into consideration the question of annexing Texas to the Union, if *the Union will accept it*; or if the Union *will not accept it*, then of *annexing Texas to the Southern States*." The convention was to offer the Union this "alternative": "either to *admit Texas into the Union*, or to proceed *peaceably and calmly to arrange the terms of a dissolution of the Union*." Annexation must be had at all costs. A meeting "in the Williamsburg district" declared, quite "in the Ercles" dialect of that region, that "the doom of the South is sealed and the dirge of our fair republic will ere long be sung by liberty's last minstrel, if she does not arise in her might and affect a union with Texas."

Here are some of the "sentiments" of South Carolina; the time and place are the 4th of July and "Marion Court-House:" "The annexation of Texas—the great measure of deliverance to the South—though defeated now by the bitterness and faction of party; come what may we will never give her up." "The protective tariff and abolition—the one, under the form of law, seeks the profits of our labor; the other, under the guise of philanthropy, to wrest our property from us. South Carolina is ready to resist the one and repel the other."

An "unsuspected nullifier" of 1832 came out to assure the people that "the political Moses [to wit, Mr. Moses-Calhoun] is neither lost nor dead, but that he is ready to follow the pillar of cloud by day, or fire by night." "True," he says, "there is a Joshua, [Mr. Joshua-Polk, meaning,] full of the spirit of wisdom, for that Moses has laid his hands on him"; but "there is still no prophet in Israel [inuendo the United States of America] like Moses," [to wit, Mr. Moses-Calhoun.] But somehow it seemed Moses had been so long talking with *his* Lord, that the Baltimore Convention,—sorely to seek for a prophet of some mark and likelihood, for there was no open vision in those days,—could not steadfastly look upon the face of *this* Moses and make him their President; and so, as for this Moses, the people of South Carolina wot not what would become of him, nor even what would become of themselves without Texas. A writer in the Charleston Mercury

asked, "What is the remedy for the evils which afflict the South?" and is thus replied to by a far-sighted man in the same journal, who does not sign himself "Captain Bobadil," though he is certainly of that military family: "I answer, unreservedly, *Resistance — combined Southern resistance, if you can procure it [if emphaticum]; if not, then State resistance.*"

A Virginia writer, we forget who, said there was "a big screw loose somewhere in South Carolina"; we shall presently see his mistake. This resistance was seriously meant; South Carolina was apparently arming for the fight, mustering that "small infantry" of hers. How shall we relate her deeds, and in what well-becoming words essay our venturous task? Oh Muse, author of bombast and of fustian, who, from the heights of Gascony, — where thou presidest over founts of froth and brooks of foam, — didst once descend to inspire the soul of Bavius and of Mævius, bards of vast renown and parents of a never ending, never silent line, — come and inspire some of their mighty kin to sing the horrid internecine war, bidding him tell who first, who last, came forth to fight. 'Twas Quattlebum! so is he known to fame. Alas, the muse of Gascony will not again inspire a bard with verse fitting such mighty themes. So let the muse of history record it with pedestrian pen. General Quattlebum, the renowned commander-in-chief, commissioned, epauletted, the admiration of negro slaves, mounted on his war-horse, went round, "sonorous metal blowing martial sounds," full of dignity, state-valor, "reserved rights," and nullification — "an eye like Mars to threaten and command;" — went round to stir up the spirit of fight, "reviewing his regiments." Oh reader, gentle or simple, this is history which we record; the veracious Niles has registered the deeds. One newspaper says that General Quattlebum addressed every regiment "in a speech for annexation. The men . . . all go for annexation, — right off the reel, now or never." The Charleston Mercury exclaimed, "Thus it will be seen that two thousand eight hundred and thirty-two men, with arms in their hands, in the drill-field, have expressed their decided determination to sustain the measure." The "forty-third regiment" resolved "that it would be more for the interest of the States, [the South and South-west,] that they should stand out of the Union with Texas, than in it without her." This was the thing — "combined Southern resistance if it could be had; if not, then State resistance" — the resistance of South Carolina and her "two thousand eight



hundred and thirty-two men with arms in their hands." What if South Carolina had "resolved" not to wait, but to annex Texas at once, leaving her eight-and-twenty sisters to their fate? What would have been the fate of the North? Already does affrighted fancy picture to our eye the South Carolinian general — the terrible Quattlebum, himself a war, his words battles, — his forty-third regiment leading the way, and his "two thousand eight hundred and thirty-two men, with arms in their hands," reaching o'er many a yard of solid ground, and marching north, as when a cloud "with thunder fraught comes rattling o'er the Caspian!" Town after town falls into his hands; state after state; Baltimore is his; Philadelphia has surrendered to Quattlebum; the Palmetto waves over New York; New England "is not a circumstance" in his way. What avails the memory of Lexington and Bunker Hill? Vain is the skill of General Scott and General Taylor; Commodore Stewart is taken captive; even General Thumb is reduced to despair. Texas would be not merely annexed, but actually spread over the whole land, and the mouths of "our fanatical brethren of the North" literally stopped with Texan dirt. But no — this is fiction, oh gentle reader, not fact. There is this peculiarity of South Carolinian valor: it is very valorous before the time of danger and after the time of danger, but in the time of danger, all at once it loses its identity, statical and dynamical, and becomes — DISCRETION. It is the better part of valor. He was a wise man who bid his legs, which were cowards, carry his brave heart out of danger. In the times of nullification in 1832, the great oath of Andrew Jackson laid South Carolinian valor low in the dust; to accomplish that in 1844 it took only the common swearing of John Tyler. It was needless to shoot at such an adversary; it was not worth the shot, for the poor little thing fell of itself and died of the fall. The coast of South Carolina is said to be windy, and the characteristic of the seashore has been communicated to the politicians of the state: her politics, indeed, are like a bag of wind, and we think there was not "a big screw loose" in the state, but only a big string had slipped off. The only aggressive act committed by the petulant little commonwealth, spite of the resolutions of its forty-third regiment, of the "decided determination" of the "two thousand eight hundred and thirty-two men with arms in their hands," and the scheme of "combined Southern resistance," or "at any rate, State resistance," — the only aggressive act of South Carolina was

the expulsion of an unarmed gentleman on the 5th of December, who had been sent from Massachusetts to look after her own citizens. Thus was "abolition" repelled. After that the valor of South Carolina flattened away as the wind had blown out, and for a long time all was quiet, not a general stirring. There are noble elements in the State, and some noble men. If ever it becomes a democracy and not an oligarchy; if the majority ever rule there, we shall see very different things, and South Carolina will not be a proverb in the nation.

Mr. Polk was elected. On the 25th of Jan., 1845, the Joint Resolution for annexation passed the House of Representatives, by a vote of 120 to 98, and soon after the Whig Senate by a majority of two votes; it was signed by the President on the 1st of March. So the work of annexation was completed before Mr. Polk came into power, though by no means without his aid. If this could have been done justly, without extending Slavery, few men at the North would have had cause to complain. We do not blame the Texans for desiring independence, or achieving it; we find no fault with extending the area of freedom over the whole world. We rejoice to extend the institutions of liberty over all North America, and should be glad to see the "honorable Senator" from Labrador or the Lake of the Woods, in the American Congress. We cannot think that Mexico had just cause of war in the bare act of annexation. But when we remember, that America colonized Texas for the sake of wresting it from Mexico, who would not sell it; that Americans got up the Texan revolution, and fought it through, and did all this for the sake of getting nine Slave "states as large as Kentucky;" that this was done secretly, fraudulently, with a lie on the lips of the government—we must say the deed itself was a base deed, and the motive base and miserable.

Such was the state of foreign affairs. In all that concerned domestic welfare, the nation was never so well off before. There had been a considerable period of remarkable prosperity. It must be a very bad government which, in four years, can seriously injure a nation like this, where so little depends on the central power. Mr. Tyler appealed to the judgment of posterity for his vindication; we have no desire to anticipate the verdict which will be rendered, but certainly no party was sorry when he went out of office.

During the year ending June 30th, 1845, the imports of the

United States amounted in value to \$117,254,564; the exports to \$114,646,606. The national revenue was \$29,769,133.56; the expenditures \$29,968,206.98. There was a balance in the treasury of \$7,658,306.22. The amount of public debt on the 1st of October, was \$17,075,445.52.

The peculiar and distinctive Ideas of the party are set forth in the Resolutions of the Baltimore Convention — which, having ideas, published its platform — and in the inaugural address of Mr. Polk. Some of them were expressed in a negative and some in a positive form.

“It is inexpedient and dangerous to exercise doubtful constitutional powers.”

Government has no right “to commence and carry on a general system of internal improvement.”

“Justice and sound policy forbid the federal government to foster one branch of industry to the detriment of another, or to cherish the interests of one portion to the injury of another portion of our common country.”

“In levying discriminating duties, . . . care should be taken . . . not to benefit the wealthy few at the expense of the toiling millions.”

“Congress has no power to charter a national bank.” “Such an institute is . . . of deadly hostility to the best interests of the country, dangerous to the republican institutions and the liberties of the people.” “Separation of the moneys of the government from banking institutions is indispensable.”

“Our title to the whole of Oregon is clear and unquestionable.”

The distinctive measures proposed were as follows: —

1. “The separation of the money of Government from banking institutions.”
2. “A Tariff for Revenue.”
3. “The Re-occupation of Oregon.”
4. “The Re-annexation of Texas.”

It is to be regretted that these measures were seldom submitted to a scientific and careful examination. They were abundantly discussed in Congress and out of Congress, but almost wholly in the spirit of party. Some of them were finally carried by a mere party vote; measures, too, on which the welfare of the nation was thought to depend. As we look over the speeches made in reference to the Tariff or the Subtreasury, we find ability enough; now and then a knowledge of the subject in hand, though that is far enough from

common—but fairness which is willing to see good in the measures of a political opponent we almost never find: a man must be a “good Whig,” or a “good Democrat,” or a “good Free Soiler;” must favor nothing but the ideas, the measures, the deeds, and the men of his party.

In his first message, (Dec. 2d, 1845,) Mr. Polk recommended the establishment of a “constitutional treasury . . . as a secure depository for the public money, without any power to make loans or discounts, or to issue any paper whatever as a currency or circulation.” In conformity with this suggestion, a bill was reported with a proviso called “the specie clause”—that all payments to or from the government should be made in gold or silver. This bill passed the House by a vote of 123 to 64, the Senate by 28 to 24, and went into operation on the first of January, 1847, though the government did not pay specie till the first of April following. It is instructive to look at the speeches of eminent men, and the remarks in the leading newspapers, and see how party-spirit can blind the eyes of practical men, otherwise far-sighted. It was thought so much specie would be locked up in the Sub-treasury that there would not be enough for common business; “the drain would become onerous, indeed, if not insupportable.” The *National Intelligencer*, of October 10th, 1846, thought it was a “scheme only congenial to despotic governments, and utterly incompatible with the habits, the conveniences, and the whole social structure of free communities;” “every day’s experience proves its impracticability, and its mischievous nature, even were it practicable.” But before the end of the year, Mr. Polk could say with truth, (Message, Dec. 8th, 1846,) “that the amount of gold and silver coin in circulation in the country is greater than ever before.” The banks were kept from “inflating” the currency. The measure has proved itself a wise one. Its good effect in retaining coin in the country, and thus preventing a suspension of specie payment by the banks during the terrible commercial crisis of 1847–1849, was felt throughout the land, and is now pretty extensively acknowledged. The administration deserves the gratitude of the people for this measure. But what Whig journal will venture to do justice to the Subtreasury! Mr. Gallatin says well:—“the practice . . . to convert every subject . . . into a pure party question destroys altogether personal independence and strikes at the

very roots of our institutions. These usages of party . . . make every man a slave, and transfer the legitimate authority of the majority of the nation, to the majority of a party, and consequently to a minority of the sovereign people." \*

Mr. Polk also recommended a "Tariff for Revenue;" Mr. Walker, the Secretary of the Treasury, presented his scheme of such a Tariff. In due time a bill was reported. The general tone of the discussion in Congress and out of it indicated very clearly the state of the country, and was a good example of the manner in which the most important political matters are investigated. We think there was no impartial discussion of the subject in Congress, or in the newspapers. We doubt that there is a single political or commercial journal in the United States, which would "open its columns" to a free and full discussion of the subject on the merits of the case. Political economy can hardly be considered an exact science as yet; but American politicians, even the most eminent, with here and there an exception, seem ignorant of the conclusions which may be regarded as established. Very few of them seem to study political economy — even to learn the facts on which it is based, still less to learn the natural laws on which the material prosperity of the nation depends. Why should they? It is a tiresome work to instruct a great nation, and mankind seldom loves its school-masters in their lifetime, while it requires little effort to swim with the tide. In 1827, the citizens of Boston "assembled to take into consideration the proposed increase of duties;" their committee made a long and very able report adverse to that increase, and very justly say: —

"The success or failure of the candidate for the Presidency, may be of great moment to the country, and still greater to those partizans whose political fortunes are depending on that event; but to the nation at large, the evil or the good which may arise out of the choice of the one or the rejection of the other, can only be of temporary and limited importance compared with the wise and just disposition of a question on which our whole foreign and domestic policy turns, and which may, in its consequences, affect the stability and happiness of the Union for ages to come." †

---

\* Letter of Feb. 10th, 1846, in the *National Intelligencer*.

† "Report of a committee of the citizens of Boston and vicinity opposed to a further increase of duties on importations. Boston. From the press of

In 1789, a moderate protective duty was established, on all imported articles; in 1816, a high protective tariff was for the first time established. Mr. Clay and Mr. Calhoun were its most important advocates. The tariff was raised in 1818, and in 1822, and was made much higher in 1824. Mr. Webster opposed it with his peculiar ability, in a speech not yet forgotten. In 1828, a very high tariff was established by what has been called "the Bill of Abominations." In 1832-3, the tariff relaxed a little, to avert a civil war. Mr. Clay got his celebrated "compromise act" established. The compromise lasted about nine years, till 1842. The celebrated tariff of 1842 was passed under the administration of Mr. Tyler, and is too well known to require any remarks from us. Mr. Webster admitted it had "its imperfections."

Mr. Polk came into power with the idea of a Revenue Tariff in his mind. The bill passed the House of Representatives by a vote of 114 to 95, 1 Whig and 113 Democrats voting on that side; 71 Whigs, 18 Democrats, and 6 "Native Americans" voting on the opposite side. It passed the Senate by the casting vote of the Vice President, who was pledged to the measure before his election. A law of this magnitude has seldom passed any modern legislature with such imperfect discussion. In the Senate only a single man, Mr. Lewis, spoke in defence of the bill; its friends gave "their thoughts no tongue," they were "checked for silence but never taxed for speech." Certainly we must say the conduct of the friends of the bill was eminently unjust, and the bill itself was carried, not by its merits, but by the power of the party; not by force of mind, but force of numbers.

It is a little painful to see how confident men are when they are so exceedingly short-sighted. We copy some of the remarks of the leading newspapers of the day.

"The more its details [of the bill] are studied, the more odious is it made to appear;" "it is fruitful of mischief, and of mischief only;" members of Congress must be callous to every principle of justice, to every feeling of humanity, . . . if they can consent to destroy a measure so important as the law of 1842." "The spirit of evil, the exactions of party, the behests of the Baltimore Convention have finally triumphed over the

---

Nathan Hale." 1827. p. 5, *et seq.* See, also, the Proceedings of the meeting at Faneuil Hall, Oct. 2d, 1820, in the New England Palladium of Oct. 3d, 1820. Also appended to Letters of S. D. Bradford, Esq. Boston. 1846. p. 37, *et seq.*

prayers and remonstrances of a betrayed and terrified people. The fatal measure which strikes at the root of all the industry of the country, and at the living of every man in it who earns his bread by the sweat of his brow,—this misshapen and monstrous scheme, . . . this measure so pregnant of evil, has secured the sanction of both houses of Congress;” the specie will be “all drained out of the country in order to pay the balance of trade; . . . credit will expand to its utmost . . . to save the specie. At length, having neither cash nor credit, poverty steps in with its imperative restraints.”

Mr. Webster made a learned, and in many respects a very able speech, though he weakened his rhetoric with a little extravagance, unusual with him,—against the new Tariff,—against its general principles, and its particular details. He said, in the Senate\*:—

“The Treasury cannot, in my opinion, be supplied at the ratio which has been stated, and is expected, by any possible, I will say passible, augmentation of importations.” “Why, the effect of this bill is to diminish freights, and to affect the navigating interests of the United States most seriously, most deeply; and therefore it is, that all the ship owners of the United States, without an exception, so far as we hear from them, oppose the bill. It is said to be in favor of free trade and against monopoly. But every man connected with trade is against it; and this leads me to ask, and I ask with earnestness, and hope to receive an answer, at whose request, at whose recommendation, for the promotion of what interest, is this measure introduced? Is it for the importing merchants? They all reject it, to a man. Is it for the owners of the navigation of the country? They remonstrate against it. The whole internal industry of the country opposes it. The shipping interest opposes it. The importing interest opposes it. Who is it that calls for it, or proposes it? Who asks for it? Who? Has there been one single petition presented in its favor from any quarter of the country? Has a single individual in the United States come up here and told you that his interest would be protected, promoted, and advanced, by the passage of a measure like this? Sir, there is an imperative unity of the public voice the other way, altogether the other way. And when we are told that the public requires this, and that the people require it, we are to understand by the public, certain political men, who have adopted the shibboleth of party, for the public; and certain persons who have symbols, ensigns, and party flags, for the people; and that’s all. I aver, sir, that is all.”

---

\* Speech of July 25th, 1846.

The administration "proposes a new system adverse to all our experience, hostile to every thing we have ever learned, different from the experience of any country on the face of the earth."

"It is prohibitory of internal labor. . . It does encourage the labor of foreign artisans over and above, and in preference to, the labor of our own artisans here in the United States."

Before the passage of the bill, Mr. Webster presented in the Senate a memorial "signed by every importer of dry goods in the city of Boston, against the bill for the repeal of the Tariff."

What shall be said of the Tariff of 1846; — has it failed to produce a revenue; has it drained the specie out of the country; has it led to a great extension of paper money; has it produced the confusion occasioned by the Tariffs of '16, of '28, of '42? Has it impoverished the nation? The answer is all about us! Still, we admit that by adopting the *ad valorem* instead of *specific* duties, an opportunity has been left for fraudulent invoices, and great fraud has been committed, doing a wrong to the government, and still more to the fair and honorable merchant.

The "re-occupation of Oregon" was also recommended in Mr. Polk's first message. Our title "to the whole of Oregon territory" was "asserted, and, as is believed, maintained by irrefragable facts and arguments;" "to the Oregon our title is clear and unquestionable;" our "claims could not be abandoned without a sacrifice of both national honor and interests," and "no compromise which the United States ought to accept could be effected." He recommended that we should give the British notice of our intention to terminate the period of joint occupancy, as the treaty of 1818 allowed either party to do. Mr. Polk, on other occasions, showed himself rather raw in diplomatic affairs; it would seem that he knew little of the matter in hand when he wrote the sentences above. They show him as a mere servant of his party, not as a great statesman, able to mediate between two mighty nations, and distribute justice with an even hand.

A great deal of discussion took place. The minor prophets and the major gave counsel after their kind. The Union — the Organ of the government at Washington — contended for "the whole of Oregon or none. That is the only alternative as an issue of territorial right." But the Charleston Mercury was all at once afflicted with a conscience, and could distin-



guish between "claims" and "rights." We shall presently see the reason of the difference. In the Senate, Mr. Sevier of Arkansas, said that "war will come;" Mr. Breese of Illinois, would not have the government "grant any position to Great Britain upon any spot whatever of Oregon." Mr. Allen of Ohio, said the "American Government could not recede short of 54, 40." Mr. Hannegan of Indiana, thought that "the abandonment or surrender of any portion of . . . Oregon would be an abandonment of the power, character, and best interests of the American people." Mr. Cass thought war, "an old-fashioned war," "was almost inevitable;" Great Britain "might be willing to submit the question to arbitration, but the crowned heads whom she would propose as arbitrators would not be impartial, for they would cherish anti-republican feelings." He would negotiate, as Mr. Webster very justly said, with the avowed predetermination to take nothing less than the whole of the territory in dispute. In the House of Representatives, John Quincy Adams went in for the territory on religious grounds, and claimed the whole of Oregon on the strength of the first chapter of Genesis. His conduct and his counsels on this occasion can hardly be called less than rash.

The South was not at all anxious to obtain the whole of Oregon. Mr. Calhoun was singularly moderate in his desire for re-occupation; nice about questions of title and boundary, and desirous of keeping the peace. The reason is obvious. Mr. Hannegan said well, "If it [Oregon] was good for the production of sugar and cotton, it would not have encountered the objection it has done." "I dreaded, on the part of those who were so strenuously in favor of the annexation of Texas at the Baltimore Convention, — I dreaded, on their part, Punic faith." Poor, deluded Mr. Hannegan, he found it. After Texas was secured, they who hunted after Oregon were left to beat the bush alone; nay, were hindered. This also would once have been considered as "judicial."

"Here," says he, "we are told that we must be careful and not come in collision with Great Britain about a disputed boundary! But if it were with feeble Mexico that we were about to come into collision, we would then hear no such cautions. There was a question of disputed boundary between this country and Mexico, and those who have a right to know something of the history of that boundary told us that our rights extended only to the Nueces. How did we find the friends of Texas moving on that occasion?"

Did they halt for a moment at the Nueces? No, sir; at a single bound they cross the Nueces, and their war-horses prance upon the banks of the Rio del Norte. There was no negotiation then — we took the whole; but when Oregon is concerned, it is all right and proper to give away an empire, if England wills it."

In the House, Mr. Winthrop suggested that, "in arbitration, reference was not necessarily to crowned heads," but the matter might be left to "a commission of able and dispassionate citizens, either from the two countries . . . or the world at large." Mr. Benton was moderate and wise; his speeches on the Oregon question did much to calm the public mind and prepare for a peaceful settlement of the difficulty. The conduct of Mr. Webster was worthy of the great man who had negotiated the treaty of Washington. He said in the beginning, "Let our arguments be fair; let us settle the question reasonably."

Congress resolved to terminate the joint occupancy. The British government was willing to settle the business by arbitration or direct negotiation. America prefers the latter. Britain sends over her proposition to settle on the 49th degree as a general basis. Mr. Polk referred the whole matter to the Senate, and asked their advice. He had not changed his opinion; not at all. If the Senate did not take the responsibility and advise him to accept the British proposal, he should feel it "his duty to reject the offer." Thus the responsibility was thrown upon the Senate. The proposal was accepted, a treaty was speedily made, and the only remaining cause of contention with England put to rest for ever. The conduct of Mr. Polk, in making such pretensions, and holding out such boasts, on such a subject, was not merely rash, weak, and foolish; it was far worse than that. But for the unexpected prudence of a few men in the Senate, and the aversion of the South to acquire free territory, he would have lit the flames of war anew and done a harm to mankind which no services he could render would ever atone for.

On the 4th of July, 1845, Texas accepted the contract of annexation, and on the 22nd of December, two hundred twenty-five years after the landing of the Pilgrims on Plymouth Rock, the Senate of the United States passed upon the matter finally, and the work was done. However, previous to this event, Mr. Polk had proposed to renew our diplomatic relations with Mexico, which had been broken off. Mexico

consented to receive "a commissioner . . . with full powers to settle the present dispute." America sent Mr. Slidell as a permanent minister plenipotentiary. He was refused *pro causa*.\* The instructions given to Mr. Slidell have not, we think, been *officially* published, though they were requested by the House. However, a document purporting to contain those instructions was published *unofficially*. From that it appears that he was instructed to purchase New Mexico and California; he was allowed to offer \$25,000,000 and the American claims on Mexico, amounting, by his estimate, to \$8,187,684.† Thus the whole territory of New Mexico and California was thought to be worth \$33,187,684.

Soon after the accession of Mr. Polk to office, General Taylor was ordered to Texas with an army. On the 15th of June, he was advised by the Secretary of War, Mr. Marcy: "The point of your ultimate destination is the western portion of Texas, where you will select and occupy, on or near the Rio Grande del Norte, such a site as . . . will be best adapted to repel invasion. You will limit yourself to the defence of the territory, unless Mexico shall declare war against the United States."‡ General Taylor took position on the Nueces at Corpus Christi, "the most western point ever occupied by Texas," but nearly two hundred miles east of the Rio Grande. August 6th, Mr. Marcy writes §:—

"Orders have already been issued to send ten thousand muskets and a thousand rifles into Texas."

August 23d,

"Should Mexico assemble a large body of troops on the Rio Grande, and cross it with a considerable force, such a movement would be regarded as an invasion of the United States."

August 30th,

"An attempt to cross, . . . with such a force, will be con-

---

\* See No. I. of this journal, p. 18, *et seq.* See the correspondence between the various functionaries in Executive Document, No. 60, 30th Congress, 1st Session, p. 12, *et seq.* Unfortunately we have only the translation of the Mexican letters. See, also, Senate Document, No. 337, 30th Congress, 1st Session, p. 18.

† Jay, p. 117, *et seq.* See, also, Document No. 2, House of Representatives, 29th Congress, 1st Session, p. 31, *et seq.*, for the correspondence between the government of Texas and the United States, and No. I. of this journal, p. 24, *et seq.*

‡ Executive Document, No. 60, 30th Congress, 2nd Session, p. 81, *et seq.*

§ See No. I. of this journal, p. 25, *et seq.*

sidered in the same light. . . . Mexico having thus commenced hostilities, you may . . . cross the Rio Grande, disperse or capture the forces," &c.\*

He was authorized to draw militia from five states — Alabama, Mississippi, Louisiana, Kentucky, and Tennessee.† Still General Taylor remained at Corpus Christi, not undertaking to commit an act of war by marching into the territory of Mexico. On the 13th of July, 1846, he was ordered to "advance and occupy . . . positions on or near the east bank of the Rio Grande."‡ Accordingly, General Taylor marches from the Nueces to the Rio Grande, finding no Texans or Americans on his way — only "small armed parties of Mexicans," who appeared "desirous to avoid us." He takes his position on the left bank of the Rio Grande, and plants his guns — "four eighteen-pounders" — so as to "bear directly upon the public square of Matamoras, and within good range for demolishing the town."§ Behold General Taylor nearly two hundred miles within the territory of Mexico, by the command of Mr. Polk — in a district, to use the words of Mr. Trist in his letter to Mr. Buchanan, which "just as certainly constituted a part of that state [Tamaulipas,] and not of Texas, . . . as it is certain that the counties of Acomac and Northampton do now constitute a part of the state of Virginia and not of Maryland."|| An interview took place between the American General, Worth, and General Vega on the part of Mexico. "General Vega remarked that 'we' felt indignant at seeing the American flag placed on the Rio Grande, a portion of the Mexican territory." General Worth replied, "that was a matter of taste; notwithstanding there it would remain."¶ On the 12th of April, the Mexican General, Ampudia, very justly said, "Your government . . . has not only insulted, but exasperated the Mexican nation, bearing its conquering banner to the left bank of the Rio Grande del Norte."\*\*

It was plain that America had committed an act of war, still the Mexicans did not commence hostilities. On the 12th of April, Ampudia summoned the American General to "with-

\* Executive Document, *Ibid.*, pp. 84, 85, 88, 89.

† *Ibid.*, p. 86.

‡ Executive Document, *Ibid.*, p. 90.

§ Letter of April 6th, 1846, *Ibid.*, p. 133.

|| Executive Document, No. 52, 30th Congress, 1st Session, p. 290.

¶ Executive Document, No. 60, p. 137.

\*\* *Ibid.*, p. 140.

draw within twenty-four hours"; he answered the same day that he "should not retrograde." On the 17th, he blockaded the mouth of the Rio Grande, thus cutting off supplies from Matamoras, and wrote home that "it will at any rate compel the Mexicans either to withdraw their army from Matamoras, where it cannot be subsisted, or to assume the offensive on this side of the river."\* Flour rose to \$40 a barrel, it is said, at Matamoras. Still there was no fighting. But on the 23d of April, General Taylor thus writes:

"With a view to check the depredations of small parties of Mexicans on this side of the river, Lieutenants Dobbins, 3d infantry, and Porter, 4th infantry, were authorized by me a few days since, to scour the country for some miles, with a select party of men, and capture or destroy any such parties that they might meet. It appears that they separated, and that Lieutenant Porter, at the head of his own detachment, surprised a Mexican camp, drove away the men and took possession of their horses. Soon afterwards, there fell a heavy rain, and, at a moment when the party seem to have been quite unprepared for an attack, they were fired upon from the thicket. In attempting to return it, the muskets missed fire, and the party dispersed in the thicket."

Three days later he writes:

"I regret to report that a party of dragoons, sent out by me on the 24th inst., to watch the course of the river above on this bank, became engaged with a very large force of the enemy, and after a short affair, in which some sixteen were killed and wounded, appear to have been surrounded and compelled to surrender.

"Hostilities may now be considered as commenced, and I have this day deemed it necessary to call upon the governor of Texas for four regiments of volunteers."

Here is Captain Thornton's account of the affair:

"I discovered some Mexicans near a house in a large field. I halted the advance guard, and went into the field myself to see them. I had not gone more than a hundred yards when they fled; I turned round and motioned to the advanced guard to come on. In the mean time the main body of the squadron had come up to the advance guard, and, mistaking my order, followed in after them; and while I was questioning a Mexican the enemy appeared. I immediately ordered a charge, in order to cut my way through them; but finding their numbers too large to contend

---

\* Letter of 23d April, *Ibid.*, p. 143.

with any longer, I ordered a retreat; and although entirely surrounded, we endeavored to cut our way through to camp. In the retreat my horse fell upon me, and I was unable to rise.

"As a prisoner of war, I am happy to inform you that attentions and kindness have been lavished upon me; as a proof of which, I will state that upon my reporting to General Arista that a dragoon had treated me rudely, he ordered him immediate punishment."\*

Thus it is plain how they "became engaged," and that America not only committed the first act of war, by invading the territory of Mexico, but actually first commenced hostilities. It is true the President of Mexico on the 18th of April, had said "from this day begins our defensive war, and every part of our territory attacked or invaded shall be defended." On the 24th he issued his proclamation declaring that "hostilities have been commenced by the United States, in making new conquests upon our territories within the boundaries of Tamaulipas and New Leon. I have not the right to declare war."† The same day General Arista informed General Taylor that he "considered hostilities commenced and should prosecute them."‡ It was on that very day that the two parties "became engaged," as we have shown above.

General Taylor's letter of April 26th, reached Washington on Saturday, May 9th; on Monday, Mr. Polk sent a Message to Congress and declared that:—

"War exists, and notwithstanding all our efforts to avoid it, exists by the act of Mexico"; "the Mexican Government have at last invaded our territory, and shed the blood of our fellow-citizens on our own soil"; "we have been exerting our best efforts to propitiate her good will"; "we have tried every effort at reconciliation." "The cup of forbearance had been exhausted even before the recent information from the frontier of the Del Norte. But now Mexico has passed the boundary of the United States, has invaded our territory, and shed American blood upon the American soil."‡

Documents accompanied the Message. Mr. Winthrop proposed they should be read. No. In a very short time a bill passed the House placing the Army and Navy at the President's disposal, authorizing him to raise 50,000 volunteers, and

\* Captain Thornton's letter to General Taylor, April 27th. See, also, Captain Hardee's letter, April 26th, *Ibid.*, pp. 290, 291, *et seq.*

† Jay, p. 142.

‡ Mr. Polk's Message of May 11th, *ubi sup.*, p. 8. See, also, Porter, *ubi sup.*, chapter VIII.

putting in his hands \$10,000,000, for the purpose of enabling him to "prosecute said war to a speedy and successful termination." In the Senate, the same bill passed the next day. The preamble was in these memorable words: "Whereas, by the act of the Republic of Mexico, war exists between that government and the United States." In the House, fourteen voted against the bill, and two in the Senate. Six of the sixteen were from Massachusetts, two were from other parts of New England, and five from Ohio, one of her daughter states.\*

The history of the war is well known. It was conducted with great vigor; on the whole, with great military skill, and with as much humanity as could be expected. War at best, is prolonged cruelty. Still we have read of no war conducted with less inhumanity than this. Some acts of wantonness were certainly committed. The capture of Tabasco is an example. The conduct of the volunteers was often base and revolting.† General Taylor was furnished with a proclamation, to distribute in Mexico, designed to foment discord, to promote hostility between the rich and poor. Their leaders were called "tyrants," and "their real purpose" was "to proclaim and establish a monarchy." Colonel Stevenson was told to make the people "feel that we come as deliverers; their rights of person, property, and religion must be respected and sustained." General Kearney proclaimed: "It is the wish and intention of the United States to provide for New Mexico a free Government,—similar to those in the United States." "We shall want from you," says General Taylor's proclamation, "nothing but food for our army, and for this you shall always be paid in cash the full value." (*"y esto os será siempre pagado en dineros y por su valor entera."*)‡ But on the 9th of July, General Taylor was told in a "confidential" letter:—

"You will also readily comprehend that in a country so divided into races, classes, and parties, as Mexico is, and with so many local divisions among departments, and personal divisions among

---

\* Here are the names. In the Senate, — Thomas Clayton, Delaware; John Davis, Massachusetts. In the House, — John Quincy Adams, George Ashmun, Joseph Grinnell, Charles Hudson, Daniel P. King, of Massachusetts; Henry P. Cranston, Rhode Island; Luther Severance, Maine; Erastus D. Culver, New York; John Strahan, Pennsylvania; Columbus Delano, Joseph M. Root, Daniel R. Tilden, Joseph Vance, Joshua R. Giddings, Ohio.

† See many examples in Jay, p. 223, et seq.

‡ Executive Document, *ubi sup.*, p. 167, and 285.

individuals, there must be great room for operating on the minds and feelings of large portions of the inhabitants, and inducing them to wish success to an invasion which has no desire to injure their country; and which, in overthrowing their oppressors, may benefit themselves. Between the Spaniards, who monopolize the wealth and power of the country, and the mixed Indian race, who bear its burdens, there must be jealousy and animosity. The same feelings must exist between the lower and higher orders of the clergy; the latter of whom have the dignities and the revenues while the former have poverty and labor. . . . In all this field of division—in all these elements of social, political, personal, and local discord—there must be openings to reach the interests, passions, or principles of some of the parties, and thereby to conciliate their good will, and make them coöperate with us in bringing about an honorable and speedy peace.

“Availing yourself of divisions which you may find existing among the Mexican people—to which allusion has been made—it will be your policy to encourage the separate departments or States, and especially those which you may invade and occupy, to declare their independence of the central government of Mexico, and either to become our allies, or to assume, as it is understood Yucatan has done, a neutral attitude in the existing war between the United States and Mexico.

“It is far from being certain that our military occupation of the enemy's country is not a blessing to the inhabitants in the vicinity.\*”

She is told that “to require” supplies “as contributions without paying or engaging to pay therefor” is the ordinary mode; “and you are instructed to adopt it, if in that way you are satisfied you can get abundant supplies for your forces.”

It seems that \$3,814,000 was thus and in various other ways taken from the Mexicans.† Grave Senators doubted that the President had the right to legislate and levy contributions in Mexico, or elsewhere, without act of the Legislature, but *cedant togæ armis*! Yet Mr. Buchanan could say on the 6th of October, 1847, “We have paid fair and even extravagant prices for all the supplies which we have received.”‡

The war once begun it was to be prosecuted to a “successful termination;” that is, to the dismemberment of Mexico. Captain Sloat lands at Monterey, on the Pacific coast of Mex-

---

\* Letter of Mr. Marcy, July 9th and Sept. 22d, 1846, *ubi sup.*, p. 333, *et seq.*, and 341, *et seq.* See, also, “more of the same sort,” in Executive Document, No. 14, 30th Congress, 1st Session, p. 5, *et seq.*

† Jay, p. 238, and Executive document No. 1, 30th Congress, 1st Session, p. 17.

‡ Executive Document, No. 52, 30th Congress, 1st Session, p. 92. See also p. 124.



ico, on the 7th of July 1846, issues his proclamation and declares that, "henceforward California will be a portion of the United States, . . . and the same protection will be extended to them as to the other States of the Union." \* Commodore Stockton sets up his "Ebenezer" at Ciudad de los Angeles on the 17th of August, 1846, and says, "I, Robert F. Stockton, . . . do hereby make known to all men, . . . do now declare it [Upper and Lower California,] to be a Territory of the United States, under the name of the Territory of California." † Here is annexation without the least delay; swift enough to satisfy even South Carolina.

One pleasant thing we find in looking through the disagreeable and often hypocritical documents connected with the Mexican war. That is, the instructions sent by Mr. Bancroft to Commodore Connor, July 11th, 1845:—

"This is, perhaps, the largest fleet that ever sailed under the American flag; and while it is sufficient, in case of war, to win glory for yourself, your associates, and the country, you will win still higher glory, if, by the judicious management of your force, you contribute to the continuance of peace." ‡

In his second annual message, Dec. 8th, 1846, Mr. Polk said, "the war has not been waged with a view to conquest; but having been commenced by Mexico, it has been carried into the enemy's country, and will be vigorously prosecuted there, with a view to obtain an honorable peace, and thereby secure an ample indemnity for the expenses of the war." § But in the message of Dec. 7th, 1847, he says, "as Mexico refuses all indemnity, we should adopt measures to indemnify ourselves, by appropriating permanently a portion of her territory." "New Mexico and California were taken possession of by our forces;" "I am satisfied that they should never be surrendered to Mexico." || Some one said to General Pillow, "I thought the object of your movement in this war was a treaty of peace." "True," (replied General Pillow) "that is the object of the war; but the object of *this campaign* was, to capture the capital, and then make peace;" ¶ again, "*this*

\* Executive Document, No. 60, *ubi sup.*, p. 261.

† Ibid, p. 268.

‡ Executive Document, No. 60, *ubi sup.* p. 232.

§ Executive Document, No. 4, 29th Congress, 2nd Session, p. 22.

|| See Executive Document, No. 1, 30th Congress, 1st Session, p. 12.

¶ Trist's Letter to Buchanan, in Executive Document, No. 22, 30th Congress, 1st Session, p. 265.

army has not come to conquer a peace; it has come to conquer the country;" we will make them *dine* and *sup* on the horrors of war.\* The statements of Mr. Polk require no comment. We do not wish to apply to them the only word we know in the English tongue which describes them.

We shall say nothing of the conduct of the administration during the war; nothing of the introduction of Santa Anna into Mexico; nothing of its quarrels with its officers, or their quarrels with one another; nothing of the contracts made with individuals for ships and other things needful in the war. The documents in the margin contain some remarkable things.† The President made the war, and Mr. Nicholas P. Trist, "a Secretary in the department of State," made the peace. As the war was begun by Mr. Polk without legal authority, so the treaty was made without legal authority. The Senate confirmed it.

There is one valuable provision in the treaty, designed to prevent depredations on private property in case of war, and other gratuitous cruelty.‡ One or two things in the correspondence of Mr. Trist are too remarkable to pass by. June 2d, 1847, he writes to Mr. Buchanan, speaking of a certain boundary:

"It includes a vast and rich country, with many inhabitants. It is too much to take. The population is mostly as dark as our mulattoes, and nominally free, and would be actually so under our government. The North would oppose taking it lest slavery should be established there; and the South lest its colored population should be received as citizens, and protect their runaway slaves."

Again, Sept. 4:

"Among the points which came under discussion was the exclusion of slavery from all territory which should pass from Mexico. In the course of their remarks on the subject, I was told

\* *Ibid.* p. 275.

† See Executive Documents, Nos. 1 and 60, 30th Congress, 1st Session, (correspondence with Generals Taylor and Scott;) Nos. 33 and 65, (trial of Lieutenant-Colonel Fremont and Major-General Pillow;) No. 29, (contracts under authority of the War Department;) and No. 52, (correspondence of Mr. Trist and others relative to the negotiation of a treaty with Mexico.)

‡ Articles XXII. and XXIII. of the Treaty, Executive Document, No. 59, 30th Congress, 1st Session, p. 62, *et seq.* The ideas and language thereof are copied from the celebrated treaty of 1785, between the United States and Prussia. See the treaty (negotiated by Franklin, Jefferson, and Adams, ratified by Congress May 17th, 1786,) in Secret Journal of Congress. Boston. 1821. Vol. IV. pp. 25-43. (Article XXIII. *et seq.*)

that if it were proposed to the people of the United States to part with a portion of their territory, in order that the *inquisition* should be therein established, the proposal could not excite stronger feelings of abhorrence than those awakened in Mexico by the prospect of the introduction of slavery in any territory parted with by her. Our conversation on this topic was perfectly frank, and no less friendly; and the more effective upon their minds, inasmuch as I was enabled to say, with perfect security, that although their impressions respecting the practical fact of slavery, as it existed in the United States, were, I had no doubt, entirely erroneous; yet there was probably no difference between my individual views and sentiments on slavery, considered in itself, and those which they entertained. I concluded by assuring them that the bare *mention* of the subject in any treaty to which the United States were a party, was an absolute impossibility; that no President of the United States would dare to present any such treaty to the Senate; and that if it were in their power to offer me the whole territory described in our project, increased tenfold in value, and, in addition to that, covered a foot thick all over with pure gold, upon the single condition that slavery should be excluded therefrom, I could not entertain the offer for a moment, nor think even of communicating it to Washington. The matter ended in their being fully satisfied that this topic was one not to be touched, and it was dropped, with good feeling on both sides.\*

America had Mexico entirely at her mercy, and wanted "indemnity for the past, and security for the future;" "indemnity for the cost of the war." She took California and New Mexico. The portion of the territory West of the Rio Grande, according to Mr. Walker's statement, amounts to 526,078 square miles, or 336,689,920 acres; (Texas, within its "assumed limits," contains 325,529 square miles, or 208,332,800 acres.) † For this, the United States are to pay Mexico \$15,000,000, and abandon all the celebrated claims which Mr. Slidell estimated at \$8,187,684, paying to our citizens, however, not more than \$3,250,000. Taking the smallest sum—the United States pays Mexico for the territory \$18,250,000, and throws in the cost of the war—that being set off, it is likely, against the "imperishable glory" with which the soldiers have "covered themselves." Certainly, we must be in great want of land to refuse to pay more than our "claims," and \$25,000,000, and then actually pay the "claims" and 15,000,000, flinging in all the cost of the

---

\* Executive Document, No. 52, 30th Congress, 1st Session, p. 199.

† Executive Document, No. 70, 30th Congress, 1st Session, p. 9.

war, and the loss of 1,689 persons killed in battle, or perishing of their wounds received therein, and 6,173 who had died by disease and accidents.\*

If England had one of her victims as completely at her feet as Mexico lay helpless at ours, she would have demanded all the public property of Mexico, a complete "indemnity for the cost of the war," and a commercial treaty highly disadvantageous to Mexico, and highly profitable to England. Why was Mr. Polk so moderate? Had the administration become moral, and though careless of the "natural justice" of the war, careful about justice in the settlement? We wish we could think so. But there were a few men in the land hostile to the war; some because it was WAR, some because it was a WICKED war. These men, few in number, obscure in position, often hated, and sometimes persecuted, reproached by the President as affording "aid and comfort to the enemy," being on the side of the Eternal Justice, had IT on their side. The moral portion of both political parties—likewise a small portion, and an obscure, not numbering a single eminent name,—opposed the war, and the government trembled. The pretensions of the South, her arrogance, her cunning, awakened at last the tardy North. Men began to talk of the "Wilnot Proviso;" of restricting slavery. True, some men fired by the Instinct for Office cried "be still," and others, fired with the Instinct for Gold, repeated the cry, "be still." There were those who had the Instinct for Justice and they would not be still; no, nor will not; never. The slaveholders themselves began to tremble—and hence the easy conditions on which Mexico was let off.

The cost of the war it is not easy, or perhaps possible, at this moment, to make out;† but we can ascertain the sums already paid. The cost of the army and navy for the three years ending 30th June, 1846, was \$37,615,879.15; for the three years ending 30th June, 1839, \$100,157,128.25. The difference between them is a part of the cost of the war, and amounts to \$62,541,249.10. There have been paid for "Mexican War Bounty Scrip," \$233,075; a part of the money obtained from Mexico, say \$3,000,000; 65,000 land warrants, each for 160 acres of land, at \$1.25 per acre, (by

---

\* Executive Document, No. 36, 30th Congress, 1st Session.

† See. who will, a Sermon of the Mexican War, &c., &c., by Theodore Parker. (Boston. 1848.) pp. 10, *et seq.*, and 17, *et seq.*

Act of 11th Feb., 1847,) \$13,000,000, making \$16,233,075 more. The whole thus far amounts to \$78,774,324.10. About 25,000 more land warrants, it is thought, will be required, at a cost of \$5,000,000. No man can now estimate the sum which will be required for pensions. If we set down the whole direct cost to the nation at \$200,000,000, we think we shall not be far out of the way. This is a tax of \$10 on each person in the United States, bond or free, old or newly born, rich or poor; like all other taxes, it is ultimately to be paid by the labor of the country, by the men who work with their hands, chiefly by poor men. The twenty million-headed nation, blindly led by guides not blind, little thought of this when they shouted at each "famous victory," and denounced humble men who both considered the "natural justice" of the war, and counted its cost.

Mr. Polk refused his signature to three bills passed by Congress; one making "appropriations for the improvement of certain harbors and rivers," one for the ascertainment and satisfaction of "claims of American citizens" on France before the 31st of July, 1801, a third "for continuing certain works in the territory of Wisconsin, and for other purposes." \* It is a little remarkable to find a man who commenced war upon Mexico, by invading her territory, seized with such scruples about violating the Constitution while paying an honest debt. The Constitution which can be violated to promote Slavery, can easily afford an excuse for the neglect of justice.

*Facile invenit fustem qui vult cadere canem.*

Mr. Polk found the nation with a debt of \$17,075,445.52, he left it with a debt of \$64,938,400.70. That was the debt on the 4th of March, 1849, including the \$2,193,500 of the loan of 1848, subsequently paid in.

Mr. Polk has gone to the Judge of all men, who is also their Father. The hurra of the multitude, and the applause of an irresponsible party are of no more value than the water which a Methodist minister sprinkled on the head of the dying man. His wealth became nothing; his power and his fame went back to those that gave; at the grave's mouth his friends, and he had friends, forsook him, and the monarch of

---

\* See his Special Messages of August 3d, 1846, August 8th, 1846, and December 15th, 1847.

the nation, the master of negro slaves, the author of a war, was alone with his God. Not a slave in the whole wide world would have taken his place. But God sees not as man. Here let us leave him, not without pity for his earthly history — not without love for a brother man whose weakness, not his wickedness, wrought for our nation such shame and woe.

Of his administration in general, we would say little. He proved by experiment that his was "a nomination not fit to be made;" not fit to be confirmed after the convention had made it; he demonstrated by experiment the folly of putting a little man into a great man's place; the folly of taking the mere creature of a party to be the President of a nation. It was not the first time this had been done, not the last. Yet such is the structure of government and society in America, such the character of the people, so young, so free, so fresh, and strong — that not even such an administration as Mr. Polk's can permanently impede the nation's march. Cattle and corn were never more abundant. Foreigners came here in great numbers, 229,483 in the year ending 30th September, 1848. Our total increase must have been considerably more than half a million a year. Not long ago men sneered at America — a Republic could not hold its own, or only with men like Washington at its head. But in 1848, when the nations of Europe were convulsed with revolutions, whose immediate failure is now the joy of the enemies of mankind, west of the ocean not less than east thereof — America stood firm, though her nominal guide was only James K. Polk. Ours is the most complicated government in the world, but it resembles the complication of the human body, not that of a fancy watch. Our increase in wealth was greater far than our proportionate growth of numbers. When trade is free, and labor free, and institutions for all men, there is no danger that men will multiply faster than bread to fill their mouths. This is God's world and not the Devil's.

We are a new people in a new world; flexible still, and ready to take the impress of a great Idea. Shame on us that we choose such leaders; men with no noble gifts of leadership, no lofty ideas, no humane aims; men that defile the continent with brother's blood most wickedly poured out! The President of the Democrats showed himself the ally of the Autocrats of the East who

"wade through slaughter to a throne,  
And shut the gates of mercy on mankind."

The good things of Mr. Polk's administration we have spoken of and duly honored; the abomination thereof—whence came that? From the same source out of which so much evil has already come: from Slavery. A nation, like a man, is amenable to the Law of God; suffers for its sin, and must suffer till it ends the sin. In the North National Unity of Action is preserved with little sacrifice of individual Variety of Action; the Union of the People and the Freedom of the Person are carefully kept secure. Hence each man has as much freedom as he can have in the present state of physical, moral, and social science. But in the South it is not so; there in a population of 7,334,431 persons, there are 2,486,326 slaves; so if the average amount of freedom in the North be represented by *one*, in the South it will be but about two-thirds;\* it is doubtful that the inhabitants of any part of Europe, except Russia and Turkey have less. Think you, oh reader, while we thus trample on the rights of millions of men, we shall not suffer for the crime? No! God forbid that we should not suffer.

There are two things the nation has to fear—two modes of irresponsible power. One is the POWER OF PARTY; one the POWER OF GOLD. Mr. Polk was the creature of a party; his Ideas were Party Ideas, his Measures Party Measures, his Acts Party Acts, himself a Party man. A Party can make a President, as a heathen his idol, out of any thing; no material is too vulgar; but a Party cannot make a great man out of all the little ones which can be scented out by the keenest convention which ever met. The Democratic party made Mr. Polk; sustained him; but no huzzas could make him a great man, a just man, or a fair man. No King is more tyrannical than a Party when it has the power; no despot more irresponsible. The Democrats and Whigs are proof of this. One has noble instincts and some noble ideas—so had the other once; but consider the conduct of the Baltimore convention in 1844; their conduct for five years after. Consider the convention of Philadelphia in 1848, and the subsequent conduct of the Whigs! This irresponsible Power of Party has long been controlled by the South, for various reasons named before.

The irresponsible Power of Gold appears in two forms, as it

---

\*  $\frac{4,848,105}{7,134,431} = .661+$

is held by Individuals or Corporations. The Power of Gold when vast sums are amassed by a single individual, who owns more property than five counties of Massachusetts, is certainly dangerous, and of an evil tendency. But yet as the individual is transient, it is not presently alarming; a wise law, unwelcome often to the rich man, limits his control to a few years. His children may be fathers of poor men. But when vast sums are held by a Corporation, permanent in itself, though composed of fleeting elements, this power, which no statute of Mortmain here holds in check, becomes alarming as well as dangerous. This Power of Gold belongs to the North and is likewise irresponsible.

Sometimes the two help balance, and counteract one another. It was so in the administration of Jackson and Van Buren. Jackson set the Power of Party to smite the Power of Gold. Even Mr. Polk did so in two remarkable instances. But this is not always to be expected: the two are natural allies. The Feudalism of Birth—depending on a Caucasian descent, and the Feudalism of Gold, depending on its dollars, are of the same family, only settled in different parts of the land; they are true yoke-fellows. The Slaveocracy of the South, and the Plutocracy of the North, are born of the same mother. Now, for the first time for many years, they have stricken hands; but the Northern Power of Gold at the Philadelphia Convention was subjugated by the Southern Power of Party, and lent itself a willing tool. Together they have selected the man of their choice, confessedly ignorant of politics, of small ability, and red with war; placed him on the throne of the nation. The Slaveocracy and the Plutocracy each gave him its counsel. By his experiment he is to demonstrate his fitness, his impotence, or his crime. He is on trial before the nation. It is not ours to judge, still less to *prejudge* him. Let General Taylor be weighed in an even balance. We trust that some one, four years hence, will report on his administration with as much impartiality as we have aimed at, and with more power to penetrate and judge. We wish there might be a more honorable tale to tell of the first mere military chief the nation ever chose. There are great problems before the nation—involving the welfare of millions of men. We pause, with hope and fear, for the Whigs to solve them as they can.



## ART. IX.—SHORT REVIEWS AND NOTICES.

1. — *Ten Discourses on Orthodoxy.* By JOSEPH HENRY ALLEN, Pastor of the Unitarian Church, Washington, D. C. Boston: Crosby & Nichols. Washington: Taylor & Maury.

THIS is a very strong book; we hardly know one so strong on the subjects which it treats. Although the community may have been well nigh surfeited, the last thirty years, with discourses longer or shorter, wise or foolish, profound or shallow, on the Trinity, Human Depravity, Atonement, Endless Punishment, and the Infallibility of the Bible, we would yet advise that Mr. Allen's volume should be read, yes, studied. It is a small book, but it will take time to peruse it thoroughly. It is full of great thoughts, of large, discriminating views of divine truth, and of the attempts that have been made to apprehend and express that truth. We cordially commend it to all who, whether orthodox or heterodox, really wish to be enlightened upon subjects of the highest moment; subjects which may have been made distasteful to many by the servile manner in which they have been too often treated.

With all his modesty,—and that is apparent on every page,—Mr. Allen is a courageous man. He seems to be afraid of nothing but error. He has evaded nothing that came in his way; and has exposed himself, on every hand, to the abettors of many long-cherished opinions. We honor him for his frankness, as much as we love him for his kindness. He has, in almost every instance, done strict and even justice to the opinions he has brought under examination.

S. J. M.

## LIST OF NEW PUBLICATIONS RECEIVED.

- J. P. Romang, *Der neueste Pantheismus.* Berne. 1848. 8vo.  
 Karl Eckermann, *Lehrbuch der Religionsgeschichte und Mythologie der vorzüglicher Völker des Alterthums.* Halle. 1848. 2te Auflage. 4 vols. 8vo.  
 Chr. Keferstein, *Ansichten über die Keltischen Alterthümer, &c., &c.* Halle. 1846—48. 2 vols. 8vo.  
 W. Adolf Schmidt, *Geschichte der Denk—und Glaubensfreiheit im ersten Jahrhundert . . . des Christenthums.* Berlin. 1847. 2 vols. 8vo.  
 F. A. Staudenmaier, *Die Christliche Dogmatik.* Freiburg im Breisgau. 1844—1849. 3 vols. 8vo.  
 Gustav Klemm, *Allgemeine Cultur-Geschichte der Menschheit, Vol. VI (China und Japan) VII (Das Morgenland.)* 8vo.  
 J. Scheible, *Das Kloster, Weltlich und Geistlich.* Stuttgart. 1849. Vol. XI. and XII. 12mo.

E. J. B. Rathéry, *Histoire des Etats généraux de France, &c., &c.* Paris. 1847. 8vo.

William Cureton, &c., &c., *Corpus Ignatianum: a Complete Collection of the Ignatian Epistles, &c., &c., in Syriac, Greek, and Latin, &c., &c., with copious notes and an Introduction.* London. 1849. 1 vol. royal 8vo.

Armand Saintes, *a Critical History of Rationalism in Germany, from its origin to the present time.* Translated from the second edition of the French original. London. 1849. 8vo.

William Johnson Fox, M. P., *On the Religious Ideas.* London. 1849. 8vo.  
*Friends in Council: A Series of Readings and Discourses thereon.* Book the Second. London. 1849. 12mo.

James John Garth Wilkinson, *Emanuel Swedenborg; a Biography, &c., &c.* London. 1849. 1 vol. 12mo.

Charles Bray, *The Education of the Feelings.* 2nd Edition. London. 1849. 12mo.

*The History of the United States of America, from the Discovery of the Continent to the Organization of Government under the Federal Constitution.* By Richard Hildreth. In three volumes. New York. 1849. 8vo. [An article in the next Number.]

*The Wrongs of Poland: a Poem in three Cantos, comprising the Siege of Vienna, with historical notes.* By the author of "Parental Wisdom." *Aliquando dormit jus moritur nunquam.* London. 12mo.

G. C. Hebbe, LL. D., *An Universal History in a Series of Letters, being a complete and impartial Narrative of the most remarkable events of all Nations, forming a complete History of the World.* New York. 1848-9. Vols. I and II. 8vo. [This is an original and valuable work. The author is a Swede, an independent and original thinker. The work will be complete in twelve or fourteen volumes. We shall speak at length of it in a future number.]

William H. Seward, *Life and Public Services of John Quincy Adams, &c., &c.* Auburn. 1849. 12mo.

*History of the French Revolution of 1848.* By A. de Lamartine, Translated by Francis A. Durivage and William Chase. 1st American Edition, in two volumes. Boston. 1849. 12mo.

David Hume, *The History of England, &c., &c.* Boston. 1849. Vols. III. and IV.

Henry William Herbert, *The Prometheus and Agamemnon of Aeschylus.* Translated into English verse. Cambridge. 1849. 12mo.

C. A. Bartol, *Discourses on the Christian Spirit and Life.* Boston. 1850. 12mo.

E. G. Holland, *Reviews and Essays.* Boston. 1849. 12mo.

*Exercises in Rhetorical Reading, with a Series of Introductory Lessons.* By Richard Green Parker, &c., &c. New York. 1849. 12mo.

Charles T. Porter, *Review of the Mexican War, &c., &c.* Auburn. 1849. 12mo.

*Angel Voices, or Words of Counsel for Overcoming the World, &c., &c.* Second Edition, revised and enlarged. Boston. 1849. 16mo.

#### PAMPHLETS.

William W. Bowditch, *Slavery and the Constitution.* Boston. 1849. 8vo. pp. 156.

Philip Berry, *A Review of the Mexican War on Christian Principles, and an Essay on the Means of Preventing War.* Columbia, S C. 1849. 8vo. pp. vi. and 87. [He thinks "that our national course . . . was morally and politically objectionable," but the persons "officially concerned" in making or conducting it "may be acquitted of peculiar personal blame in their contribution to the national error."—p. 2. The book has some good things.]

S. E. Brownell, *The Herman and Dorothea and the Alexis and Dora of Goethe*, &c. New York. 1849. 8vo. pp. 48. [This work is too well done to appear in such a melancholy form.]

John Pierpont, "The Address to the People," at the Installation of Rev. H. A. Miles, &c., &c. 2nd Edition. Boston. 1849. 8vo. pp. 8.

Report of the Committee on the Library in Relation to the Donations received from the City of Paris, &c., &c. Boston. 1849. 8vo. pp. 12.

Josiah Warren, *Equitable Commerce: a new Development of Principles . . . for the Pecuniary, Intellectual, and Moral Intercourse of Mankind,—as Elements of a new Society*. 2nd Edition. Boston. 8vo. pp. 68.

George R. Russell, *The Merchant: an Oration before the R. G. Alpha of the Phi Beta Kappa Society at Providence, September 4th, 1849*. Boston. 1849. 8vo. pp. 60. [This is a modest, humane, and beautiful oration; giving a brief but valuable and interesting history of commerce, and showing its office in the economy of the Human Race.]

Robert C. Winthrop, *An Address . . . before the M . . . Society at Bowdoin College, on . . . September 5th, 1849*. 8vo. pp. 68. [Contains an important and valuable contribution of the Bowdoin family]

Samuel J. May, *The Flood; a Sermon*. Boston. 1849. 8

*The Seventh Vial*; consisting of brief comments on various &c. By the author of *Millennial Institutions*. Springfield.

and 17 [with the plan of the frame of a city after Ezekiel, Chap.

William W. Newman, *Moral, Religious, and Sectarian Education . . . to the Onondaga County Teachers' Institute*, Syracuse. 1848. 12mo. pp. 36.

A Letter to a Young Man who has just entered College from who has gone through. Boston. 1849. 12mo. pp. 40.

Henry M. Field, *The Good and Bad in the Roman Catholic* New York. 1849. 12mo. pp. 34.

*Equality*. West Brookfield. 1849. 12mo. pp. 74. [The and keen criticism on the Currency, and Institutions, and Practical with it, showing how easily Capital prevails over Labor. We no space for extracts.]

Charles K. Whipple, *Sunday Occupations*. Boston. 1849.

William B. Hayden, *The Character and Works of Christ*. 12mo. pp. 84.

# MASSACHUSETTS QUARTERLY REVIEW.

NO. X.—MARCH, 1850.

## ART. I.—JUDICIAL OATHS.

not at all :” containing an exposure of the needless and mischievousness as well as anti-christianity of the use of an oath : A view of the Parliamentary recognition of its needlessness, implied in the practice of both Houses : And an indication of the unexceptionable security which whatsoever practical good purpose the ceremony when employed to serve, would be more effectually promoted : Together with proof of the open and persevering contempt of moral and religious principle perpetuated and rendered universal in the two Churches of England and Scotland, more especially in the University of Oxford.

By JEREMY BENTHAM, ESQ., formerly of Queen’s College, Oxford, A. M. London, 1817.

2. *The Oath a Divine Ordinance and an Element of the Social Constitution* : Its origin, nature, ends, lawfulness, obligations, interpretations, form and abuses. D. X. JUNKIN, A. M., Pastor of the Presbyterian Church, Greenwich, N. J. New York, 1845.

Two works upon the same subject can hardly be found in the whole range of literature more diverse than those of Bentham and Junkin upon oaths. Their very titles are antagonistic, their objects opposing. The conflict is in the beginning, in the middle, and in the conclusion. Not less striking is the antagonism of their respective authors. The one is a free-thinking reformer, fearless and unyielding. The other is a conservative, rigidly orthodox and fearful of all change. One

ART. I. JUDICIAL OATHS.  
— BENTHAM  
II. JUDICIAL OATHS.  
III. JUDICIAL OATHS.  
IV. JUDICIAL OATHS.  
V. JUDICIAL OATHS.  
VI. JUDICIAL OATHS.

might as well mingle oil and water, and we will not attempt the commixture. Yet these works are both of value as affording the means of readily weighing the opposing considerations which affect the subject, and we propose to make free use of their contents in what we are about to offer.

It is a noticeable fact, that in the earliest stages of civilization the belief of the special interference of the Deity in the affairs of men, is a prevailing and all but universal idea. Man, it was thought, by certain mystic forms and hallowed ceremonies, could compel the interference of the Divinity either to establish innocence, or to detect guilt. Hence came ordeals and trials by battle and by lot; hence the belief that by the eating of bread, or the drinking of water, by walking barefoot over burning ploughshares, by thrusting the hand amid poisonous serpents, or throwing the accused, bound hand and foot, into the water, amid prayers and the imposing forms of antique superstition, that God would manifest the truth by a miraculous violation of the laws of Nature. So extensively diffused was this idea, that it was alike believed by the polished Athenian on the banks of the Ilissus, the stern Israelite amid the hills of Judea, the African dwelling under the burning heat of the torrid zone, and the Scandinavian worshipper of Thor or Odin, amid the fastnesses of the North. All nations, barbarous, or just emerging from barbarism, have resorted to the Divinity for the decision of disputed questions with somewhat similar ceremonies, and undoubtedly with like success.

Part and parcel with ordeals, whether of bread or of water, of poisons or of ploughshares, whether of Grecian, Jewish, Hindoo, or Scandinavian form and origin, based upon the same principle, involving the same leading idea, is the oath by which divine vengeance is imprecated upon falsehood, and, by the use of which ceremony, if it be effective, the Deity is, specially and for that cause, bound to inflict the requisite and appropriate punishment, in case of its violation. As the analogies traceable amid the radical words of different languages all point to a common origin, a primal language, so the innumerable resemblances discernible amid the elemental forms of jurisprudence, among nations diverse in their local habitations, with varying customs, and sympathies, and languages, would equally seem to indicate a common source, from which at some point of time, now uncertain or lost in the darkness of a remote antiquity, they originally sprung.

The oath, either assertory or promissory, is found among all nations, with the exception of those so barbarous as to have no conception of the existence of a God. Its antiquity seems almost coeval with man's existence. Indeed, according to classical mythology, its antiquity is still greater; for as the Gods and Goddesses swore more or less according to the emergency of the case, after, so it is fairly inferrible, that they did before his creation. At any rate the custom reaches back to the earliest recorded history.

"An oath is a religious asseveration, by which we either renounce the mercy, or imprecate the vengeance of Heaven, if we speak not the truth." Oaths have usually been divided into promissory or oaths of office, and assertory or oaths uttered judicially or extrajudicially, for the purpose of compelling truth on the part of the witness, and enforcing belief on the part of the hearer.

So extravagantly profuse and wasteful is the use of oaths amongst us, so utterly at variance are they with the command, "Swear not at all," so powerless are they for all good, so potent for much evil, that we have thought it might not be uninteresting briefly to notice the purposes for which, and the occasions upon which they have been in use, their different forms and ceremonies, the various punishments for their violation, the theory which justifies and requires their adoption as a sanction for truth, and their real force and efficiency in the administration of judicial affairs.

In the earliest records of the Jews, we find not only oaths but the very form of the uplifted hand, which is every day witnessed in court. It is the form adopted by the Deity: "I lift up my hand to Heaven and say, I live forever." To swear and to lift up the hand, are indifferently used as translations of the same Hebrew word. "The Lord lifted up His hand to the House of Israel," or "sware," as is subjoined in the margin. So in Revelations, "the angel which I saw, lifted up his hand to Heaven, and sware by him that liveth forever, who created Heaven and the things that therein are, and the sea and the things that therein are, that there should be time no longer."

The person to be sworn did not pronounce the formula, but the words of the oath were repeated to him, or, when heard, he ratified them by uttering the words "amen, amen;"—thus imprecating upon himself the curse. The most solemn oaths were taken amid sacrifices, the person who imposed the

oath dividing the victim, and the person took it passing between the divided parts, with an imprecation, expressed or understood, to the following import: "May God do to me if I am perjured, what has been done to these victims, or punish me still more, in proportion to his greater power."

The first instance of a judicial oath is to be found in Exodus, xxii. 10, 11; where, in case of the loss of animals, delivered by one to his neighbor to keep, and they die, or be hurt, or driven away, no man seeing it, it is decreed, that "then shall an oath of the Lord be between them both, that he hath not put his hand unto his neighbor's goods; and the owner of it shall accept thereof, and he shall not make it good."

Perjury, by the Mosaic law, was not an offence against the civil law; to God alone was left its punishment. The civil magistrate had no jurisdiction of the offence, except in the case of a false charge of crime, when the punishment for the offence charged, was to be inflicted upon the person falsely charging it. The perjurer might expiate his guilt, by making the prescribed and predetermined trespass offerings. The misunderstanding or misinterpretation of this, may in later times have led to the doctrines of absolution, and the sale of indulgences; for it is difficult to perceive much difference in principle, whether the offerings, made to escape the punishment of the Deity, be in certain specific articles, or in certain money payments.

The form among the Greeks was by lifting up the hand to Heaven, or touching the altar, adding a solemn imprecation to their oaths, for the satisfaction of the person by whom the oath was imposed, as well as to lay a more inviolable obligation upon the person taking it—in terms something like this;—if what I swear be true, may I enjoy much happiness, if not, may I utterly perish.

In judicial proceedings, the oath was administered to the witnesses before an altar erected in the courts of judicature, and with the greatest solemnity. The parties were likewise sworn—the plaintiff, that he would make no false charge, the defendant, that he would answer truly to the charge preferred.

An ancient form among the Romans was, for the juror to hold a stone in his hand, and to imprecate a curse upon himself should he swear falsely, in these words: "If I knowingly deceive, whilst He saves the city and citadel, may Jupiter

cast me away from all that is good, as I do this stone." Among the Greeks and Romans, the oath was not merely used to induce faith in judicial proceedings, but the Gods were invoked as witnesses to contracts between individuals, and treaties between nations.

When the shrine of Jupiter gave place to that of St. Peter, when the innumerable gods and goddesses of ancient superstition were converted into the equally numberless saints and saintesses of Catholicism, when the Pontifex Maximus of consular and imperial, became the Pontifex Maximus of papal Rome — without even the change of his sacerdotal vestments, when the rites and ceremonies, the whole ritual of the pagan worship was transferred bodily to the worship of the papacy, the oath, which was essentially a religious ceremony, was adopted as it had heretofore been administered, except so far as was required by the alteration in the names of the object of worship, and in its purposes and beliefs. As before this change, the altar, or the sacred things upon it were touched or kissed, as the more gods one swore by the stronger the oath, so we find after this change similar forms and ceremonies were adopted, with slight variations. The very form of the imprecation used is of pagan origin. "So help me Jupiter and these sacred things," became "So help me God and these sacred relics," or, "these holy Evangelists."\* The Flamen of Jupiter, from the sacredness of his office, was not compelled to take an oath, and the word of the priest, "verbum sacerdotis," in conformity to the old superstition, has sufficed.

Justinian prescribes the following form: — "I swear by God Almighty and by his only begotten Son, our Lord Jesus Christ, by the Holy Ghost and by the glorious St. Mary, mother of God, and always a virgin, and by the Four Gospels, which I hold in my hand, and by the holy Archangels, Michael and Gabriel, &c.," closing with an imprecation upon his head of the "terrible judgment of God and Christ, our Saviour, and that he might have part with Judas and the leper Gehazi, and that the curse of Cain might be upon him."

Besides oaths on solemn and judicial occasions, the ancients were in the habit of making use of them, as nowadays, as "the supplemental ornament of speech" — "as expletives to

---

\* "So help me Fyrr Njord and the Almighty, as I shall testify truly, &c.," was the Scandinavian formula.



plump the speech, and fill up sentences ;” — swearing by the patron Divinities of their cities, as in later days by patron saints ; by all manner of beasts and creeping things, by the fishes of the sea, and by stones and mountains.

Per Solis radios, Tarpeiaque fulmina jurat,  
Et Martis frameam, et Cirrhai spicula Vatis ;  
Per calamos Venatricis pharetramque Puellæ,  
Perque tuum, pater Ægæi Neptune, tridentem ;  
Addit et Herculeos arcus, hastamque Minervæ,  
Quidquid habent telorum armamentaria coli.

Indeed, the world-famous “ God damn ” of the English, is but a translation of the “ *dii me perdant* ” of classical antiquity. But the oaths of antiquity, however absurd or ridiculous, were infinitely exceeded in absurdity by the exuberant and grotesque profaneness of the Christians of the middle ages. They swore by “ Sion and Mount Sinai,” “ by St. James’ Lance,” “ by the brightness of God,” “ by Christ’s foot,” “ by nails and by blood,” “ by God’s arms two,” — they swore

“ By the saintly bones and relics,  
Scattered through the wide arena ;  
Yea, the holy coat of Jesus,  
And the foot of Magdalena.”

Menu, the great lawgiver of the East, the son of the Self-existent, as he is termed in the sacred books of the Hindoos, ordains that the judge, having assembled the witnesses in the Court, should, in the presence of the plaintiff and defendant, address them as follows : —

“ What ye know to have been transacted in the matter before us, between the parties reciprocally, declare at large and with truth, for your evidence is required. . . .

“ The witness who speaks falsely, shall be fast bound under water, in the snaky cords of Varuna, and he shall be wholly deprived of power to escape torment during a hundred transmigrations ; let mankind give, therefore, no false testimony.

“ Naked and shorn, tormented with hunger and thirst, and deprived of sight, shall the man who gives false testimony go, with a potsherd to beg bread at the door of his enemy. Headlong and in utter darkness, shall the impious wretch tumble into hell, who, being interrogated in judicial inquiry, answers one question falsely.

“ The priest must be sworn by his veracity ; the soldier by his horse, or elephant, or weapons ; the merchant by his kine, grain and gold ; the mechanic, or servile man, by imprecating on his head, if he speak falsely, all possible crimes.”

In this code, the guilt of perjury varies in intensity, according to the subject matter of testimony.

"By false testimony concerning cattle in general, the witness incurs the guilt of killing five men; he kills ten by false testimony concerning kine; he kills a hundred by false testimony concerning horses; and a thousand by false testimony concerning the human race."

But what is human life compared with gold, or with land? The scale rises, — the atrocity increases.

"By speaking falsely in a cause concerning gold, he kills, or incurs the guilt of killing, the born and unborn; by speaking falsely concerning land, he kills every thing animated. Beware, then, of speaking falsely concerning land. Marking well all the murders which are comprehended in the crime of perjury — declare the whole truth, as it was heard and as it was seen by thee."

Notwithstanding, all this pious falsehood, for instance, perjury to save life, which would be forfeited by the rigor of the law, is not merely allowed, but approved, and eulogistically termed "the speech of the Gods."

"To a woman, on a proposal of marriage, in the case of grass or fruit eaten by a cow, of wood taken for a sacrifice, or of a promise made for the preservation of a Brahmin, it is no deadly sin to take a slight oath."

Ever famous has been the lubricity of lovers' oaths. The lover swore, indeed, but, as was said by the Greeks, oaths made in love, never enter into the ears of the Gods. This, probably, is the only code allowing and approving them.

Various are the modes of administering an oath. A cow is sometimes brought into court, that the witness may have the satisfaction of swearing with her tail in his hand; the leaf of the sweet basil and the waters of the Ganges are swallowed; the witness holds fire, or touches the head of his children or wife — while the less orthodox followers of Brahmin, those of the Jungle tribes, impressed with the belief that if they swear falsely they shall be food for tigers, are sworn on the skin of one.

Among the Mohammedans, the oath is administered with the Koran on the head of the witness; but it is not binding unless taken in the express name of the Almighty, and then it is incomplete unless the witness, after having given in his evidence, again swears that he has spoken nothing but the truth. The oath is not worthy of credit unless taken in the name of God; and the swearer must corroborate it by reciting the attributes of God, as, "I swear by the God besides whom there is

no other righteous God, who is acquainted with what is hidden," &c.

No one, who has read the inimitable works of Sterne, will forget the all-cursing excommunication of the Catholic Church — cursing the unhappy offender in the exercise of every function of living nature, and through all the joints and articulations of his members, from the crown of his head to the sole of his foot. The oath of the Burmese, though falling infinitely short as an effusion of maledictory imprecation, is still worthy of being brought to mind.

"I will speak the truth. If I speak not the truth, may it be through the influence of the laws of demerit, viz. : passion, anger, folly, pride, false opinion, hardheartedness, and scepticism ; so that when I and my relations are on land, land animals, as tigers, elephants, buffaloes, poisonous serpents, scorpions, &c., shall seize, crush, and bite us, so that we shall certainly die. Let calamities occasioned by fire, water, rulers, thieves and enemies, oppress and destroy us, till we come to utter destruction. Let me be subject to all the calamities that are within the body, and all that are without the body. May we be seized with madness, dumbness, blindness, leprosy and hydrophobia. May we be struck with thunderbolts, and lightning, and come to sudden death. In the midst of not speaking truth, may I be taken with vomiting black clotted blood, and suddenly die before the assembled people. When I am going by water, may the aquatic genii assault me, the boat be upset, and the property lost ; and may alligators, porpoises, sharks, or other sea-monsters seize and crush me to death ; and when I change worlds, may I not arrive among men and nata, but suffer unmixed punishment and regret in the utmost wretchedness among the four states of punishment, Hell, Prita, Beasts and Athuraksi," &c.

" ' Small curses, Dr. Slop, upon great occasions,' quoth my father, ' are but so much waste of our strength and soul's health, to no manner of purpose.' ' I own it,' replied Dr. Slop. ' They are like sparrow shot,' quoth my uncle Toby, ' fired against a bastion.' ' They serve,' continued my father, ' to stir the humors — but carry off none of their acrimony — for my part, I seldom swear or curse at all. I hold it bad ; but if I fall into it by surprise, I generally retain so much presence of mind as to make it answer my purpose — that is, I swear till I find myself easy.' " The Burmese, at any rate, fire no sparrow shot at falsehood — and might be easy in the sufficiency of the metal with which their oath is loaded.

Much of the judicial proceedings of our Anglo-Saxon an-

cestors rested upon oaths, and the punishment for their violation was severe. The perjurer was declared unworthy of the ordeal, was incompetent as a witness, denied Christian burial, and classed with witches, murderers and the most obnoxious members of society.

Oaths were administered to the complainant in criminal proceedings, and to the accused. The oath of the complainant was as follows: "In the Lord, I accuse not N. either from hate, or art, or unjust avarice, nor do I know any thing more true; but so my mind said to me, and I myself tell for truth that he was the thief of my goods."

The accused swore as follows: "In the Lord, I am innocent, both in word and deed, of that charge of which P. accused me."

The oath of the witness was: "In the name of Almighty God, as I stand here a true witness, unbidden and unbought, so I oversaw it with mine eyes, and even heard it in my ears, what I have said."

From this, it would appear that, in those early days, before the inveterate chicanery of Norman Jurisprudence had cursed English soil, that it was usual to swear the parties, "those who knew something about the matter."

The different oaths of modern Europe, ordeal oaths, oaths of compurgators, decisory oaths, oaths of calumny, oaths military, masonic, might well deserve attention; but we have already, perhaps, occupied too much attention in reverting to the forms and usages of the past.

There are but two instances of nations among whom oaths have not been adopted in judicial proceedings. Among the Chinese, no oath is exacted by the magistrate, upon the delivery of testimony. When they question each other's testimony, appeals to the Gods are only made by cutting off the head of a fowl and wishing they may thus suffer — or blowing out a candle and wishing they may thus be extinguished, if they do not speak the truth. The other instance is to be found in the code of laws formed, with great judgment and much discrimination, by the missionaries at Hawaii — where, we believe, oaths have, for the first time, been abolished by a Christian people.

Whim and caprice seem to have governed men in selecting the punishment to be inflicted for a violation of the truth. Among some nations, fines, confiscation of goods, and imprisonment have sufficed. The Hindoos cut out the tongue, as be-

ing the offending member, while the Spaniards, sparing the tongue, extracted the teeth, for their share in the formation of sound. Some cut off the hand. The old Germans were content with a thumb, while the Danes, using three fingers in the ceremony, were content with taking only two; and the Dutch, still more merciful, thought the jointing of the forefinger a sufficient expiation for the offence. By the Salic law, a fine of fifteen shillings satisfied the offended majesty of the law; but in case of the decisory oath, according to the laws of some countries, no punishment can be imposed on the false swearer beyond what God will inflict.

With us, the oath is used on so many occasions, that a stranger would imagine it was a precept of our religion, to swear always, at all times and on all occasions. Not an executive officer, from the President to a Marshal, from a Governor to a Constable; not a judicial officer, from the chief justice to the lowest magistrate known to the law; not a member of our numerous legislative assemblies; not an officer of the army or navy, nor a soldier or sailor, enlisting, but is sworn in certain set and prescribed formulas. A sworn assessor is required to assess our taxes; a sworn collector to collect, and a sworn treasurer to receive the money collected. Not a lot of land is levied upon, without the intervention of oaths. The whole custom house department is rife with them. Through all the innumerable grades of official life, civil, military, executive and judicial, the oath is the official security, by which, in their respective spheres, they are all bound to the performance of their several duties — and that, too, by a people, one of the clearest precepts of whose religion is, “swear not at all;” and when, in many of the above instances, the violation of the several duties sworn to be done and performed, is not punishable as perjury.

Nor are these the only occasions in which the oath is used. No testimony is received in any judicial proceeding until after its administration. As a security for official faithfulness, or as a preventive of official delinquency, it is notoriously worthless and inoperative. What may be its value in the preserving and promoting of trustworthiness of testimony, we propose to consider.

For the purposes of Justice, it is perfectly immaterial whether the testimony uttered be sworn or unsworn, provided it be true. Before considering the supposed efficiency of an oath, it may be advisable to see what other, and how power-

ful securities for testimonial veracity are attainable without resort to this supernatural agency.

Truth is the natural language of all ; it is the general rule, falsehood the rare and occasional exception. Even of those least regardful of veracity, truth is the ordinary and common language. The greatest liar, no matter how depraved he may be, usually speaks the truth. And why ? Invention is the work of labor. To narrate facts in the order of their occurrence, to tell what has been seen or heard, is what obviously occurs to any one. To avoid doing this, is a work of difficulty. Falsely to add to what has occurred, carefully to insert a dexterous lie, requires ingenuity, greater or less, according to the greater or less degree of skill with which the lie is dovetailed among the truths which surround it. No matter how cunning the artificer, the web cannot be so woven that the stained and colored thread shall not be perceived. Love of ease, fear of labor, the physical sanction, are always seen coöperating in favor of truth. Any motive, however slight and even infinitesimal, is, or may be sufficient to induce action in a right direction, except when overborne by other and superior motives, in a sinister direction. By a sort of impulse, by the very course of nature, the usual tendency of speech is in the line of truth.

Regard for public opinion, the pain and shame universally attendant upon the ignominy attached to falsehood detected, the disgrace of the liar, in other words, the moral and popular sanction, with but rare and accidental exceptions, is found tending in the same direction. Much the greater part of what is known, is known only from the testimony of others. Our necessities, the necessities of others, and of social intercourse, require, that for our own preservation as well as for that of others, the truth should be told. Hence, among all nations, barbarous and civilized, and among civilized in proportion to their advancement, the term *Liar* has been one of deep reproach ; never used without inflicting pain on the person to whom it is applied. However great the disgrace, it is immeasurably increased, when the occasion upon which the falsehood is uttered is a judicial one. The more important the occasion, the greater the public indignation and scorn attached to its violation.

The law regarding veracity, which is peculiarly desirable in judicial investigations, may impose severe penalties for false testimony, mendacity, — penalties varying in degree of se-

verity, according to the aggravation of the offence — and thus may furnish additional sanction to, and security for testimonial trustworthiness.

It may happen that the statement of a witness, while true in part, may be defective in detail, either by the omission of true, or the utterance of false facts. Correctness and completeness are both included in perfect veracity. Incorrect in part, incomplete to any material extent, — the evils of such incompleteness and incorrectness, when not the result of design, may be as great as those of deliberate and intentional falsehood. How best to attain those indispensable requisites, is the problem, the solution of which becomes so important in the practical administration of the law. How best to compel the reluctant and evasive witness, how to quicken the careless and indifferent, how to check and restrain the rash and presumptuous, how to convict the deliberately and wilfully false, how to extort from reluctant lips the truth, the whole truth, and nothing but the truth — by what processes to accomplish these results, is the great question.

Interrogation and cross-interrogation, rigid, severe and scrutinizing, under a proper system of procedure, confirmed and strengthened by the sanctions already alluded to, are the securities upon which all real and substantial reliance can be placed. The ordinary motives to veracity, without the aid of cross-examination, and unaccompanied by fear of punishment in case of falsehood, are found sufficient in the common affairs of life to produce veracity. The extraordinary securities afforded by punishment, compulsory examinations and cross-examinations, would seem to suffice in the case of evidence judicially delivered.

As, however, testimony is judicially delivered only upon and after the ceremony called an oath — it is only punishable if false, after the oath has been legally administered. This is not necessarily so — for, if the legislature should so will, the temporal punishment might as well be inflicted without, as with an oath.

Having briefly considered the temporal securities for truth, it now remains, to ascertain the real significance and true value of the oath, as a preventive of testimonial mendacity.

"What is universally understood by an oath," says Lord Hardwick, "is, that the person who undertakes, imprecates the vengeance of God upon himself, if the oath he takes be false."

"An oath," says Michaëlis, "is an appeal to God as a surety

and the punisher of perjury : which appeal *as He accepted*, He of course became bound to punish a perjured person irremissibly. .

“ Were not God to take upon Himself to *guarantee oaths*, an appeal to Him in swearing, would be foolish and sinful. He *undertakes to guarantee it*, and is the avenger of perjury, if not in this world, *at any rate in the world to come*.”

By the use, then, of this ceremony, the Deity is engaged, or it is assumed that He is engaged, in case of a violation of the oath, to inflict punishment of an uncertain and indefinite degree of intensity — at some remote period of time, in some indefinite place, according to the varying and conflicting theological notions of those holding this belief — notions varying according to the time when, and place where, they are entertained, and the education and character of those entertaining them.

It cannot be questioned, that the Deity will punish for falsehood, whether judicially or extrajudicially uttered ; nor that such punishment, whatever it may be, whensoever, wheresoever, or howsoever inflicted, will be just, fitting and appropriate.

Were the ceremony not used, were unsworn testimony delivered, subject to temporal punishment, were all oaths abolished, false testimony, so far as this world is concerned, would be as injurious as if uttered under the sanction of an oath. The injurious effects in the administration of Justice, would be the same. The unsworn witness would be amenable to the penalties of the law, as the sworn witness is now.

Now what is accomplished by the oath ? The falsehood and its disastrous effects to the cause of Justice are the same, whether the oath has been taken or not ; the temporal punishment is, or may be made the same. The oath, if effective, therefore, is only effective so far as future punishment is concerned, which, in consequence of its administration, will thereby be increased or diminished, — for, if the punishment were to remain the same, then nothing would have been effected ; the oath would be a mere idle ceremony — *telumque imbellè sine ictu*.

That future punishment will thereby be diminished, no one will pretend, certainly not those who repose confidence in the efficacy of this sanction. If future punishment is increased, then, and then only is the ceremony effective — then, only, is a valid reason given for its adoption.

The falsehood being the same, whether the testimony be sworn or unsworn, the punishment for the falsehood itself, must necessarily be the same. For, if falsehoods be a proper



subject of punishment, when the effects are the same, the lie will be punished without, as well as with any ceremony preparatory to its utterance. If, then, an increase of punishment will be inflicted — it must be for the profanation of the ceremony, and nothing else.

If the future punishment, is increased in consequence of the administration of the oath — then what follows? That man, by the use of certain words and ceremonies, can compel the Deity to inflict other, and increased, and different punishments; that man can control the Deity. The punishment for the falsehood is one thing; the punishment for the falsehood would be just without the ceremony, and the falsehood being the same, the punishment, for that cause, must be the same. If there be an increase, it is for the profanation, and for that alone.

The perjury committed, the falsehood judicially uttered, as by the Quaker, the temporal punishment the same, the evil the same, is the future punishment the same? If so, then the oath is utterly valueless? It is increased, then, for precisely the same temporal offence; for the same identical violation of truth, there is, then, a different future punishment, and that arising from, and caused by the utterance of certain words, and the performance of certain gestures, previous to uttering such falsehood! The Quaker suffers equally in this world for his crime, but hereafter he is to be a gainer, by having his suffering diminished.

All that is alleged, then, to have been accomplished is, that an increased amount of punishment is hereafter to be inflicted, simply for the violation of a ceremony, and entirely irrespective and regardless of any evils flowing from the falsehood. No sanction for truth is really obtained.

But in what does the binding force of an oath consist? When Jephthah, returning in triumph, was met by his daughter with timbrels and dances, was Jephthah under any obligation to perform the vow he had made, “to offer up for a burnt offering whatsoever should come forth from the doors of his house to meet him?” If yea, such obligation arose not from the rightfulness or propriety of the matter vowed, for that was a dark and atrocious murder, “for she was his only child; besides her he had neither son nor daughter.” The performance, if required, was required solely in consequence of the vow. “For I have opened my mouth to the Lord, and cannot go back.” If nay, if the vow was not to be performed, then does it not follow, that it is the fitness of the thing sworn to be done or not, which is

the basis of the obligation, and upon which its binding force rests ?

When Herod, pleased with the dancing of the daughter of Herodias, "promised with an oath to give her whatsoever she would," and when she requested the head of John the Baptist in a dish, was he thereby bound to give it her ? "Yet for his oath's sake and them that sat with him at meat, he commanded it to be given her."

Mahomet says when you swear to do a thing, and afterwards find it better to do otherwise, do that which is better, and make void your oath.

The very definitions of an oath show that, by reason and in consequence of the oath, the Deity becomes bound to punish a perjured person irremissibly. History, too, shows that obligations upon man, and so, too, upon the Deity, arising from the oath, varied, or were supposed to vary in intensity, according to the varying forms and circumstances attendant upon its administration. When Robert, the pious king of France, abstracted the holy relics from the cases upon which the oath was taken, and substituted therefor the egg of an ostrich, as being an innocent object, and incapable of taking vengeance on those who should swear falsely, he might have been correct as to the incapacity of the egg ; but did he thereby save his subjects from perjury, or avert the punishment of the Deity ? When Harold shuddering saw the bones and relics of saints and martyrs, real or fictitious, upon which he had unconsciously sworn, were the obligations he had assumed, increased by their unknown presence ? Or was it the unreasoning fear of abject superstition, which led him to believe that he had thus immeasurably increased the dangers of superhuman punishment ?

Indeed, when men consider they are under obligation to utter the truth or not, as they stand upon a tiger's skin or hold in their hand the tail of a cow, as they have their hat on or off, as certain spurious relics of fictitious saints are enclosed in the pyx or not ; as the lips touch the thumb or the book ; as the book has, or not, a cross upon it, who does not see that the virtue resides, or is considered by those thus believing, to reside in the ceremony and in that alone ; that the thing sworn to be done or not, and its propriety, are not even matters deemed worthy of thought ?

But is the obligation to utter truth thereby increased ? Is not that eternal, immutable ? Is not the duty to utter truth paramount and prior to all oaths ? The oath may be the same

so far as the ceremony is concerned, either to utter the truth or a falsehood, but is the obligation the same? If the obligation rests on the oath, each alike must be performed as sworn. If it rests on the rightfulness of the thing to be done, then why add the oath?

The oath is not without its accompanying evils. By imposing punishment only when it has been administered, it lessens the importance of, and the respect due to truth, in statements uttered extrajudicially, and gives an implied license to falsehood, out of Court. The truth seems only to be specially requisite in case of an oath, otherwise it is comparatively immaterial.

Charles Lamb, in his quaint and quiet way, and with great humor and truth, says, "the custom of resorting to an oath in extreme cases, is apt to introduce into the laxer sort of minds, the notion of two kinds of truth; the one applicable to the solemn affairs of Justice, and the other to the common proceedings of daily intercourse. As truth, bound upon the conscience by an oath, can be but truth, so, in the common affirmations of the shop and the market, a latitude is expected and conceded upon questions wanting this solemn covenant. Something less than the truth satisfies. It is common for a person to say, you do not expect me to speak as if I were upon my oath. Hence, a kind of secondary or laic truth is tolerated, when clergy truth, oath truth, is not required. A Quaker knows none of these distinctions."

Not very dissimilar was the idea of St. Basil, that "it is a very foul and silly thing for a man to accuse himself as unworthy of belief, and to proffer an oath for security."

The oath, too, is a disturbing force in giving the just degree of weight to testimony. It tends to place all testimony upon the same level, to cause equal credence to be given to all, because all have passed through the same ceremony. The attention of the jury or the judge, is withdrawn from the just appreciation of the grounds of belief or disbelief in the evidence. The same ceremony for all, the tendency is, to believe that its force is the same upon all, and thus the bad receive undue credence, while the good are reduced to the standard of the bad.

In what does the difference consist between judicial and extrajudicial falsehood? The consequences of the latter may be more or less injurious than those of the former; the injury greater, the loss, in the latter case, of property, reputation or even life, in the former of a few shillings, it may be; is the falsehood judicially uttered the greater offence? To suffer the

same loss by the utterance of the same words in Court or out of Court, in the Street or on the Stand, with or without assenting with upraised hand to certain words, in what is the difference to the loser, or the general injury to the community? Why in one case punish, in the other exempt from punishment? Does it not degrade the general standard of veracity; does it not create the notion that truth is not competent on ordinary occasions, but is only required as a sort of Court language?

What are the lessons of experience? To determine the real value of this sanction, one must abstract all those concurring and coöperating securities, which alone are of real importance, but which, not being estimated at their value, give this an unnatural and undeserved efficiency. Take away public opinion; let falsehood be regarded with as much indifference as among the Hindoos; remove all fear of temporal punishment in case of testimonial falsehood; abolish the test of cross-examination; leave it to the willing or unwilling witness to state more or less, according to the promptings of his inclination, and you then see the measure of security for trustworthiness derivable from the oath. When the oath sanction is in accordance with the other securities of trustworthiness, its weakness is not perceived. Let the religious cease to be in conformity with the popular sentiment or even with convenience, and its violation is looked on with indifference or even complacency. "If you wish," says Bentham, "to have powder of post taken for an efficacious medicine, try it with opium and antimony; if you wish to have it taken for what it is, try it by itself."

Definite, certain, immediate punishment alone is powerful to restrain or coerce. The future, enshrouded in darkness, yields to the present. The fear of punishment, hereafter to be imposed for falsehood without oath, or with oath so far as it may be increased thereby, is a motive of little strength. The uncertainty whether any will be inflicted, the unalterable ignorance as to what the amount may be, or when in time, or where in space it is to be inflicted, render it a security unreliable and powerless in its action upon even the most intelligent and conscientious, when unaided and unsupported by other securities.

The oaths of Oxford University have been taken by the most cultivated minds of England, by those, who in after life attained the highest dignities of the Church or the State, by those, who from their station, their education and intelligence, would be least likely to disregard their obligation. These oaths required obedience to statutes framed centuries ago by

and for a set of monks, and are about as consonant to the present state of Society as the monkish costume would be to a General in Chief at the head of his army. Consequently, they are not merely not observed, but their observance would be a matter of astonishment to all, equally to those sworn to observe and to those sworn to require their observance.

Another instance of habitual violation of oaths, has been seen in the conduct of English Judges and Juries, in the administration of the criminal law. The English code was written in blood. Draco would have shuddered at the multiplicity of its bloody enactments. Death was inflicted in cases of larceny, dependent upon the value of the thing stolen. With greater regard to the dictates of humanity than to their oath-obligations, juries, at the suggestion of the Court, and for the express purpose of evading the law, have intentionally returned the article stolen as of less than its true value, to avoid the punishment of death, which otherwise would have attached.

Unanimity, too, is required in juries. A difference of opinion exists; in most contested cases of much complexity, it is likely to exist. The really dissenting minority yield to the majority. The Court aid or advise, and if advice will not serve, compel agreements by partial starvation — thus bringing physical wants to their aid, to coerce real opinion.

The open and profligate violation of custom-house oaths, has attracted so much attention, that in England they have been abolished. In this country, a bill to that effect, with the approbation of the late John Quincy Adams, was introduced, but we believe it was defeated.

The Jews had no temporal punishment for perjury, and they have descended to posterity as a nation of oath-breakers. It will be fully understood how little effect the fear of future punishment had over the Grecian mind, when it is remembered that the wit of Aristophanes was directed against the very idea of Jove's interference for the punishment of this crime.

“Dunce, dotard, were you born before the flood,  
To talk of perjury, whilst Simon breathes,  
Theorus and Kleonymus, whilst they,  
The perjured villains, brave the lightning's stroke,  
And gaze the heavens unshack, would these escape?  
Why, man, Jove's random fires strike his own fane,  
Strike Sunium's guiltless top, strike the dumb Oak,  
Who never yet broke faith or falsely swore.”

The caustic and vehement pen of Juvenal affords an equally true and vivid picture of Roman want of belief and truth.

"Who dreams that oaths are sacred; that the shrine  
Of every God has something of divine;  
Dreams of Old Times, when Saturn first forsook  
His diadem, and grasped the reaper's hook;  
When Juno was a spinster, and when Jove  
Lived still in private, in the Idean Grove!  
Oh Golden times! When Gods were scarce and few,  
And not as now, a mix'd and motley crew!  
Wheels, furies, vultures, quite unheard of things,  
And the gay ghosts, were strangers yet to kings."

The habitual disregard for truth — the little security which the oath gives to testimony — induced a Committee of the British Parliament, in their report on the judicial affairs of British India, to recommend its abolition, on the ground that its moral sanction does not add to the value of native testimony, Hindoo or Mohammedan; that the only practical restraint on perjury is the fear of punishment, imposed by law for that offence, and that the fear of consequences in a future state, or the loss of character or reputation among their own countrymen, has little effect upon the great majority of the people, in securing true and honest testimony, when they may be influenced by the bias of fear, favor, affection, or reward.

The legal exclusion consequent upon, and caused by the oath, affords an unanswerable argument against its use. Most nations, in the spirit of religious bigotry and barbarian exclusiveness, so characteristic of unenlightened legislation, have excluded as witnesses, those whose faith differed from their own. The Government, determining what shall be the faith, — determines that all dissidents shall be branded as infidels. The term infidel expresses merely dissent or disbelief, without reference to the truth or falsehood of the thing disbelieved. It is the epithet which majorities apply to minorities, and, consequently, one of reproach. Justinian excluded infidels. Hindoos and Mohammedans excluded Christians, because of their infidelity, and, by way of reprisal, they in their turn were excluded by Christians, for the same cause. Such was the common law, as drawn from its purest fountains, — from Fleta and Bracton. Coke, its great expounder, excludes them as unworthy of credit; for, said he — they are perpetual enemies — "for as between them, as with the devils, whose subjects they are, and Christians, there is perpetual hostility, and can be no peace; for, as the Apostle said, 'and what concord hath Christ with Belial, or what part hath he that believeth with an infidel?'"

It was not until the East India Company commenced that

splendid career of conquest, by which they acquired dominion over millions of subjects, and it was seen that an urgent necessity required the testimony of the natives — that the Court, overruling the well established law of ages, threw Bracton and Fleta overboard, because they were papists, and in their day “little trade was carried on but the trade in religion;” and in the suit of Onuchund,\* the great Hindoo Banker, whose melancholy fate reflects little credit on British faith, against Barker, by an act of judge-made law decided that all infidels, without reference to their religion, might be received and sworn, according to the customs of their respective countries; — not because such was the law — but because to exclude them, would be a “most impolitic notion, and would tend at once to destroy all trade and commerce.” Even judicial optics, with dim and beclouded vision, saw that, if the whole population of a country were excluded as infidels, proof might be deficient; — but, as it was thought to “the advantage of the nation to carry on trade and commerce in foreign countries, and in many countries inhabited by heathens,” it was judged advisable to trample the law under foot. A judicial *caveat*, however, was at the same time entered against giving the same credit, either “by court or jury, to an infidel witness as to a Christian.”

Provided only the wrath of God be imprecated, it mattered little to the common law, the wrath of what God was imprecated, whether Vishnu or Fo, or any other of the innumerable Gods of heathenism. But in none of them does the Christian repose faith. The witness imprecating the vengeance of false Gods, of Gods who will not answer, what is the belief of the Christian? That the true God will as much hear and punish in consequence of the use of this ceremony, and for its violation, as if the adjuration had been in His name? If so, then are the magic virtues of the oath still more enhanced — being compulsory upon the Deity, even when His name is not invoked. If not, then why swear the witness in the name of false Gods? Why give a judicial sanction to superstition and idolatry, by invoking false Gods; why not rather let testimony be delivered under the pains and penalties of perjury, and let that suffice?

Yet by the common law, the swearer by broken cups and saucers, or he who thinks truth obligatory only as he has held

---

\* See Wille's Rep.

the tail of the sacred cow when the oath was administered, was heard, while the intelligent and pious Quaker, who, in the simplicity of his heart, was so heretical as to believe that the command "Swear not at all" meant what its obvious language imports, was excluded, because he believed the divinity of the command he was anxious to obey. He was thus left without protection to person or to property, unless he should be able to find a witness without the pale of his sect, by whom his legal rights could be established.

By that patchwork legislation, so eminently distinguishing all law reform, an act was passed, and the law so amended that a Quaker, when property was endangered, was admitted to testify,—but in cases of property alone, his testimony not being admissible in criminal cases. In this country, however, the legislature have removed the disqualification entirely; the absurdity is, that it should ever have existed.

These limited reforms do not afford a complete remedy for the evil. The incorrectness of religious belief is not the ground of exclusion—for if so, one would think Hindooism sufficiently erroneous for that purpose. The theological jurist views with more complacency the worst forms of Paganism, than a questionable variety of Christianity. The only required qualification in his view, is belief in a *future* punishment, of which, in every aspect, he must be unutterably ignorant. If, believing the general doctrines of Christianity, he is so unfortunate as to believe that the cares, and sorrows, and misfortunes of this life are a sufficient punishment for transgressions here committed, and that God, in His infinite goodness and mercy, will hereafter receive all into a state of happiness, the common law excludes his testimony. The judicial dabbler in theology in this country, has generally followed the lead of transatlantic jurisprudence.

But whether the Universalist be a witness or not, all authorities agree, that he who disbelieves in the existence of God, who, in the darkness of his beclouded reason, sees not God in the earth, teeming with its various and innumerable forms of animal or vegetable life, sees him not in the starry firmament,—nor yet in the existence of man, the most wonderful of his works, is excluded. Atheism is always rare, yet we have, three times in one county, known the attempt made to exclude for that cause. The general bad character of the witness for truth and veracity, affords no ground for exclusion, however much it may for disbelief in testimony;



but even if it had, it would not have been established in those cases. Erroneous belief was the only reason urged. The error of such belief, or want of belief, may not merely be conceded — but the entertaining of such sentiments may be deemed the misfortune of his life. But because one of the securities for truth may be wanting, it is difficult to perceive why, all others remaining in full force and vigor, the witness should not be heard — and then after, not as the common law does before such hearing, some judgment formed by those who are to decide upon the matter in dispute, of the truth or falsehood of his statements. He is excluded only because he is believed. If he is to be believed, when the truth uttered would expose him to reproach and ignominy, why not hear him under more favorable circumstances, when the rights of others may be involved, and then judge? Exclude him, and any outrage may be committed upon him — his property may be robbed — his wife may be violated — his child may be murdered before his eyes, and the guilty go unpunished, if he be the only witness; not because he cannot or will not tell the truth, but because the law will not hear him. Practically the law is, that provided a man's belief be erroneous, any body, whose belief is better, and it matters little what it be, Hindooism or Fetichism, may inflict any and all conceivable injuries on his person and property, and the law will permit such a criminal to go unpunished, unless there happens to be present some witness whose belief should square with the judicial idea of competency.

Nor is this all. It leaves it in the power of any man to be a witness or not. A believer, interested for one party and knowing facts adverse to his interest, he has only falsely to profess the erroneous belief, and he is excluded. Wishing to be a witness, and being an infidel, he has only falsely to express a change of sentiments, and he will be admitted to testify. He alone determines whether he will be heard or not. If an atheist and a man of integrity, he is peremptorily shut out; if an atheist, and he will lie and deny his atheism, he is unhesitatingly received. So that the law does not even protect itself, excluding all honest, and admitting all dishonest unbelievers, provided, only, that they are willing to render themselves competent by falsehood.

Abolish, then, the oath, without which technical perjury cannot exist, and the great argument for the wholesale exclusion of testimony by the law is done away with. No intelligent

judge or juryman ever relied upon its security. Judge of the witness by his appearance, manner, answers, the probability of his statements, comparing them with the lights derivable from every source. Punish falsehood injuriously affecting the rights of others, in proportion to the wrong done, not with one uniform measure of punishment, as if the offence in all cases were the same. Tolerate not two kinds of truth, the greater and lesser, else both are lost. Elevate the standard of veracity, by requiring it on all occasions, and in this way public morality is increased, and the real securities upon which the social fabric rests are strengthened.

## ART. II.—SPECIMENS OF GERMAN LYRICS.

*Die Lyrik der Deutschen in ihren vollendesten Schöpfungen von Göthe bis auf die Gegenwart.* In fünf Büchern herausgegeben von HEINRICH FRIEDERICH WILHELMI, Hofrath und Professor. Frankfurt a. M. 1848. 1 vol. 4to.

THIS volume contains lyrical pieces from two hundred and nine poets of Germany, who have lived within a hundred years; of course, the pieces are of very unequal merit. All the various form of German lyric poetry are represented here — from the antique ode to the most didactic piece that is capable of being sung. Properly speaking, the modern lyric poetry of Germany begins with Goethe, and it bears the peculiar mark of that great artist, though none has yet equalled the master in lyric composition.

The work is divided into three main parts, namely : —

1. Pure Lyric, or the Lyric of Sentiment;
2. Didactic Lyric, or the Lyric of Thought;
3. Epic Lyric, or the Lyric of Events.

We give below a translation of a celebrated piece from Schiller.

### EXPECTATION.

Did I not hear the gate open?

Did I not hear the latch click?

No, it was the wind's low breathing,  
Whirring through these poplars thick.

O deck thyself, thou roof of foliage green,  
 Thou shalt receive the bringer of my light!  
 Ye branches build a shady bower, to screen  
 And circle her with the still blessed night!  
 And all ye flattering breezes breathe unseen,  
 And play around her cheek, so pure and bright,  
 When her light footsteps, softly moving, come  
 And bear their gentle burden to her home.

Hush! what steals through the hedges?  
 What was the rustling I heard?  
 No, 't was but the moving bushes,  
 Shaken by the startled bird.

Proud Day, put out thy torch! and thou appear  
 O Spiritual Night, with silence sweet!  
 Thy purple blossoms spread around us here,  
 And let the secret branches o'er us meet!  
 The joy of love shunneth the listener's ear,  
 Shunneth the prying ray of noonday's heat:  
 Let only Hesperus, the Silent, dare  
 To look on us, and in our transports share.

Did I not hear in the distance  
 Whispering voices awake?  
 No, it was the swan in circles  
 Moving on the silver lake.

Around me flow all sweetest harmonies,  
 The spring is falling with a pleasant noise,  
 The flowers are bending to the west wind's kiss,  
 And all things living in exchange of joys:  
 The grape — the red peach, slumbering in its bliss,  
 Behind the leaves its ripe repose enjoys:  
 The breeze, all balmy from the spicy flood,  
 Drinks from my fevered cheek the glowing blood.

Do I not hear light footsteps  
 Rustling along through the walk?  
 No, it is the ripe fruit falling  
 With its own fullness from the stalk.

The flaming Eye of day has sunk in night —  
 A gentle death — and all the colors gay;  
 The flower cups, in the dear and dusky light,  
 All ope their eyes, that shunned the glare of day;  
 The moon lifts up her face, so mildly bright,  
 And melts the world in masses huge away.  
 From every charm, the girdle is unbound,  
 And all things beautiful are veiless found.

Something all white glimmers yonder;  
Is 't not the folds of her dress?

No, it is the column gleaming  
Through the yew wood's gloominess.

O longing heart, seek not this pleasing pain,  
To play with lifeless images so sweet:  
They will not in my empty arms remain;  
No shadowy joy can cool this bosom's heat.  
O guide my dear love to my heart again,  
And let her tender hand with mine once meet;  
Let but the border of her mantle gleam!  
Then into Life stepped forth the empty dream.

And light, as from heavenly dwellings,  
Appareth the hour of bliss;  
Unseen, unheard, she was near me,  
And wakened her friend with a kiss.

The following lines have something pleasing :

Grave age upon my house-top  
His snow doth lay;  
But all within my chamber  
Is warm and gay.  
Cold winter falls in whiteness  
Upon my head;  
Yet in my heart, how warm and red  
The life-drops play;  
My cheek its color loses,  
And gone are all the roses,  
All gone and passed away.  
Where have they gone, the roses?  
Down in the heart,  
And there, as once, so ever  
They 'll bloom, they 'll bloom for me.  
Are all the world's bright rivers  
Forever drained?  
One stream steals through my bosom  
Its quiet way.  
Are all the nightingales of summer mute?  
Yet in my heart's deep silence  
One sings its lay:  
It sings — Lord, of thy dwelling  
Shut to thy door;

That the world may not press into thy chamber gay,  
 Shut out the rough cold breath of common day :  
 The mist of dreams alone  
 Around thee stay.

The following piece of Paul Gerhard we take from another collection. It is not well known in this country, though quite popular in Germany. We give a poor translation, but subjoin the original, in hopes some one will produce a better version.

### AN EVENING HYMN.

#### I.

Now rests the wood in shadow,  
 Beast, man, and town, and meadow ;  
 The weary world 's asleep.  
 My soul, begin thy singing,  
 To thy Creator bringing  
 A Psalm acceptable and deep.

#### II.

Oh Sun, where wilt thou hide thee ?  
 The night cannot abide thee,  
 The Night, the Daylight's foe.  
 Withdraw, Oh Sun, from Heaven,  
 If Christ my joy be given  
 Bright in my heart of hearts to glow.

#### I.

Nun ruhen alle Wälder,  
 Vieh, Menschen, Städt'und Felder,  
 Es schläft die müde Welt.  
 Ihr aber, meine Sinnen,  
 Auf! ihr sollt noch beginnen,  
 Was eurem Schöpfer wohlgefällt.

#### II.

Wo bist du, Sonne, blieben ?  
 Die Nacht hat dich vertrieben,  
 Die Nacht, des Tages Feind.  
 Fahr' hin, du Erden-sonne,  
 Wenn Jesus, meine Wonne,  
 Nur hell in meinem Herzen scheint.

## III.

Now daylight is declining,  
 Now golden stars are shining,  
 In Heaven's purple hall.  
 Like them shall I serve standing,  
 When God shall come demanding  
 Me from this dark and tearful ball.

## IV.

My body hastes to slumber ;  
 The robes which it encumber,  
 A type of mortal life,  
 These lay I off far from me,  
 But Christ shall clothe upon me,  
 The garment of immortal life.

## V.

Head, feet, and every finger,  
 While evening shadows linger,  
 Rejoice that day is o'er ;  
 My heart, begin thy gladness,  
 Relieved from earthly sadness,  
 Thou 'lt be the slave of Sin no more !

## III.

Der Tag ist nun vergangen ;  
 Die goldnen Sterne prangen  
 Am blauen Himmelssaal.  
 Also werd' ich auch stehen,  
 Wann mich wird heissen gehen  
 Mein Gott aus diesem Jammerthal.

## IV.

Der Leib eilt nun zur Ruhe,  
 Legt Kleider ab und Schuhe,  
 Das Bild der Sterblichkeit.  
 Die sieh' ich aus ; dagegen  
 Wird Christus mir anlegen  
 Das Kleid der Ehr' und Herrlichkeit.

## V.

Das Haupt, die Füß' und Hände  
 Sind froh, dass nun zu Ende  
 Des Tages Arbeit sey.  
 Herz, freu' dich ! du sollst werden  
 Vom Elend dieser Erden,  
 Und von der Sündenarbeit frei.

## VI.

Go home, ye limbs, now weary,  
 Forget your labors dreary,  
 You now require your bed.  
 But other times come speedy,  
 And for you will make ready  
 A couch in earth to rest this head.

## VII.

Mine eyes e'en now are dozing,  
 And in a moment closing,  
 Where now are Sense and Soul?  
 Oh keep them with affection,  
 Stand thou their sole protection,  
 Thou, Eye and Guardian of the whole!

## VIII.

Come thou thy child to cover,  
 And with thy wings brood over,  
 And shelter with thine arm.  
 Then, would the foe invade me,  
 Thine angel's voice shall aid me,  
 "This child shall meet no harm!"

---

## VI.

Nun geht, ihr matten Glieder,  
 Geht hin, und legt euch nieder!  
 Des Bettes ihr begehrt.  
 Es kommen andre Zeiten,  
 Da man euch wird bereiten  
 Zur Ruh' ein Bettlein in der Erd'.

## VII.

Die Augen stehn verdrossen,  
 Im Nu sind sie geschlossen;  
 Wo bleibt nun Leib und Seel'?  
 Nimm du sie hin in Gnaden,  
 Sey gut für allen Schaden,  
 Du Aug' und Wächter Israel!

## VIII.

Steh' du zu meiner Seite,  
 Die Flügel um mich breite,  
 Und hülle mich darein!  
 Will mich der Feind verschlingen,  
 So lass die Engel singen:  
 Diess Kind soll unverletzt seyn.

## IX.

And thou, my dearest dear one,  
No evil shall come near one ;  
Not one of mine be lost !  
In nearness and in distance,  
Our God will lend assistance,  
With all the glorious angel host.

---

## IX.

Auch euch, ihr meine Lieben,  
Soll heute nicht betrüben  
Ein Unfall noch Gefahr ;  
Euch Fernen und euch Nahen  
Woll' unser Gott umfahen  
Mit seiner lichten Engelschaar.

---

The following is from Countess Ida von Hahn-Hahn. We have seen several manuscript translations, but none in print. We give the original below.

## RECONCILIATION.

Let me, Lord, before thee kneeling,  
Like the glowing Magdalene,  
Pour in tears each bitter feeling,  
And be reconciled to pain.

Not with balsams come I to thee,  
But with heart-wrung tears of grief ;  
Lord, no honor can they do thee,  
But to me they bring relief.

---

## VERSÖHNUNG.

Lass', O Herr, zu deinem Füßen,  
Gleich der glühenden Magdalene,  
Aller Thränen mich vergiessen,  
Dass ich mich dem Schmerz versöhne.

Nich mit Balsam, nur mit Zähren,  
Herzenquollnend' nahe ich ;  
Ach ! sie können Dich nicht ehren,  
Aber Herr sie trösten mich.



## THE LANDLADY'S DAUGHTER.

This is a piece from Uhland, often translated :

There came three comrades, gallant and fine  
To a Lady Hostess, over the Rhine.

"Fair Hostess ! hast thou good beer and wine?  
Where hast thou the beautiful daughter thine?"

"My beer and wine is fresh and clear,  
My daughter is lying on her bier."

And as within the room they tread,  
In sable coffin lies the dead.

The first one drew the veil away,  
And sadly gazed on the senseless clay :

"Ah ! wert thou yet living, thou fairest maid,  
I would love thee from this hour," he said.

The second veiled her features o'er,  
And turned him thence, and wept full sore :

"Alas ! that thou liest on thy bier !  
I have loved thee for so many a year."

The third flung back again the veil,  
And kissed her on her lips so pale :

"I've loved thee ever, I love but thee,  
I will love thee in eternity."

## VOLKSLIED.

Here is a little piece we have not seen in English before :

It is ordained in God's decree,  
That men from what they gladliest see  
Must part them ;  
Though nought in all the world's career,  
Can leave the heart so sad and drear  
As parting,  
Yes, parting !

Thus, if a bud be given to thee,  
With water nurse it tenderly ;  
Yet know thou,  
Tomorrow, if it bloom a rose,  
Ere night, the withered flower will close,  
That know thou !  
Yes, know thou !

And has God given to thee a love,  
 To prize all other things above,  
     That keep thou;  
 It is but for a time thine own,  
 Then leaves it thee so all alone,  
     Then weep thou!  
     Yes, weep thou!

Now must thou understand my strain,  
     Yes, understand my strain;  
 When living mortals part in pain,  
 Say even then, we meet again!  
     Yes, meet again!

### ART. III.—TWO NEW TRINITIES.

1.—*The Trinity: its Scripture Foundation and the early construction of Church Doctrines respecting it.* A Lecture preached at Springfield, Sunday, Oct. 28th, 1849. By GEORGE F. SIMMONS, Minister of the Third Congregational Society.

2.—*A New Gnosis.* [By WILLIAM B. GREENE, a pamphlet of 10 pages.]

THE first of the above works is written in an amiable and conciliating spirit: it is also very impartial, considering that its subject is the Trinity. A person who attempts to coax that doctrine into placid assimilation with his nature, cannot remain perfectly just and genial; for the digestive apparatus will have its little revenges for the imposition. It is a made taste, like that for olives and liquor, and cannot be enjoyed without some atrabiliar nemesis. But there is a mongrel Orthodoxy that, like highly diluted spirit, is comparatively harmless. And, of all Trinities, give us the sentimental Trinity for digestion.

We are not ready yet to propound it as an axiom, that a man's idiosyncrasy decides his theology; but give limits and qualifications in a few directions to a generalization that would otherwise be grossly material, and we have an important truth. A man's theology is not the independent result of his pure reason. Were such a theology, in fact, attainable, it

would be constricted and cheap enough. But it depends upon that precise balance of faculties and sentiments, that special power of each, which any given individual represents, just as various made colors result from the mixture of different shades, so that an individual becomes toned down into a theology that is as inevitable and irreversible for him as is his complexion. It would not be impossible to construct a theological sliding scale, in which various tendencies of character should be matched with their congenial and necessary modes of speculation; not with creeds, but with modes of speculation; for, after all, the essential difference between men is not so much in the formulas and number of articles they subscribe, as in the modes of thought which they exercise upon spiritual things. The differences, then, cannot be very extensive. There are only two radical distinctions, with supplementary ones belonging to each, depending upon culture, sentiment and health of brain. These two involve the natural and the supernatural modes or habits of thought. Supplementary to these, are various ways of holding the doctrines peculiar to each, depending upon that subtle blending which is baptized John, or James, or George. This truth ought to teach us unconditional tolerance, and also save us from that anxious proselyting spirit, which imagines that a man can receive an opinion, on abstract considerations, independent of that special totality of his which must determine the issue, and which through all its alterations must modify the issue. We should as soon expect to see the Chinese successful in converting the Yankees to birdsnest and rat soup. Not that rat soup is positively inadmissible, by the conditions of human nature, any more than is a Trinity, or a quaternity, for it is astonishing what the human stomach will endure. Shipwrecked people, *in extremis*, have eaten each other; but then they were somewhat seasoned in advance for this Kilkenny banquet, by the cannibal acerbities of their theologians. But, after all, it is better for each genus to stick to its providential nutriment.

Mr. Simmons does not seem to be *in extremis*, and yet we find him nibbling at this Trinity. He is a supernaturalist, but that is only one essential antecedent for the gratification of such a taste. He belongs to that class of supernaturalists who, in a doubtful issue between Science and Scripture, would allow to Scripture the casting vote, forgetting that the interpretation which they put upon Scripture is, for the time

being, their science. The right of private judgment within the limits of Scripture, means, the interpretation of Scripture according to individualities more or less orthodox. But Mr. Simmons is a sentimentalist, and that is the determining antecedent of the Trinity which he develops in this lecture. The following sentence illustrates the tone of his mind, and the consequent coloring of his theology: this Trinity "grows up in the retreats of devotion; it is like that flower which is found in shady thickets, and goes by the name of *nodding trillium*, — which, being one of the few which have a triple petal, bends low its blossom, that it may be sheltered under the extended leaves. The root of this plant is said to be medicinal." A supernatural, Scriptural, devout Sentimentalist, who had become acquainted with Tholuck and Neander, had sympathized, from his Unitarian education, with every effort to rationalize evangelical doctrines, and lately, with Bushnell's æsthetic altar-form of Christianity and modal Trinity, could not do otherwise than believe that "the Father redeems us through his Son, in the fellowship of the Spirit. The whole Trinity is there included; nothing of it left out." This is the *nodding trillium* which Mr. Simmons finds in the baptismal formula in Matthew xxviii. 19. In another place, he speaks of the Trinity as "the living disclosure God has made and is making of Himself to man, the scheme of the Bible." This is not a threefold distinction in the nature of the self-subsistent God, but only "that threefold character which He assumes to us." But Mr. Simmons does not affirm that these three phases of God exhaust the Divine nature. To say nothing of the angels, he adds that the religious mind recognizes these four things, — "the Father, Nature, Christ and the Spirit." An ingenious mind might illustrate this quaternity by the four-leaved clover, if Matthew's formula of baptism only contained four terms instead of three; for this Trinity is, after all, only spun out of the above text, and Mr. Simmons is not scientific, when he says that the mind cannot unite any two terms of this Trinity in the same thought. There is his whole difficulty. Waiving all discussion concerning the nature of the Son, we suggest that the two terms, *Father* and *Spirit*, are not only capable of union, but that the term *Father* covers the whole ground of both, practically and religiously. Of what consequence is it, then, how a formula of baptism is worded, if its terms are plainly reducible. The religious mind is not compelled to find its satisfaction in the Trinity of Mr. Simmons,

any more than in that ontological speculation, the Orthodox Trinity, which is the supposed ground and explanation of the other. Mr. Simmons holds the idea, but objects to any attempt to substantiate and explain it. Next to believing a thing which cannot be proved, is that more unfortunate tendency to believe a thing *because* it cannot be proved. When we speak of proving a thing, we do not mean that logical processes can demonstrate every object worthy of our faith. The whole man must advance to the proof of a spiritual problem, and he must test it by his totality of thought and feeling. Then faith in a thing indemonstrable becomes a rational prolongation of reason. But it must not contradict scientific laws; it may pass beyond them, and out of their province, but still it cannot be at variance with them. If it contradicts them, no individual sentiment can make it worthy of belief. Mr. Simmons' Trinity is at variance with scientific laws, inasmuch as it distinguishes the two modes or phases, Father and Spirit. Therefore it is an idiosyncrasy, and not a legitimate object of belief.

This leads us to say a word or two concerning that naturalism which Mr. Simmons rejects with aversion. How could he do otherwise, with his individuality? Will he, nill he, he must reject it, until a fresh shake of the kaleidoscope throws his powers and sentiments into another combination. But, in the meantime, it may be possible to convince all those who sympathize with Mr. Simmons, that Naturalism lacks none of those Christian graces which are claimed as results of a so-called Scriptural scheme, with or without a Trinity. A too sweeping generalization is involved in the statement that under the scheme of Naturalism, "virtue will be the virtue of stoicism, and the mind's soaring will be that of contemplation, not of prayer." We can imagine that to have been penned with the reminiscence of a volume or two of contemplative essays and poems hanging about the writer's sense. If a man is contemplative by nature, his prayer will be contemplative, whether he be a Naturalist, or an ultra Calvinist, or a moderate Unitarian. What an itching there is to fix such characteristics as appear objectionable to any one, or are not in harmony with one, upon this or that creed! But if a man be a stoic, he will display the virtue of stoicism, and all the thirty-nine articles cannot make him more trustful and dependent. When Mr. Simmons proceeds to add that, in the school of Naturalism, "all virtue will be practised under a sense of de-

section," and that prayer itself will gradually cease, since "it is the natural fruit only of a faith which connects us by a living tie with God," — we are on the point of growing indignant, and filling the rest of this review with notes of amazement. Whom did Mr. Simmons have in his eye, to designate withal a whole genus? We hasten to disabuse a devout mind of a consideration which must be afflictive to it. No living tie with God? Why, Naturalism is very little else: the merciful, suggesting, humbling, creative presence of God in the intellect and soul of His children, is the central thought from which the whole action and spirituality of the Naturalist proceeds. The consciousness of that great fact has slowly made him what he is, and affection, devoutness, thought, and will, are meekly subordinated to faith in that glorious presence — no, not to the faith, but to the presence. Can virtues grow stern, and can prayer cease, in the heart of any child who lives and thinks, walks the streets and transacts his business, with an absorbing sense of the nearness and the minute solicitudes of the Infinite Father? Pray God that Mr. Simmons may become acquainted with the heart of some Naturalist.

Another misconception is contained in the following paragraph: "it may be said that this school make much, on the contrary, of *inspiration*. But they make too much of it. If all is inspired, nothing is inspired. And that presence of God is nothing to me, which I share with the clod." He has here compounded a rare Pantheism with a scientific Naturalism. Is it really predestined in the decrees of God, that a devout Sentimentalist cannot be discriminating? There is much Pantheism among the Absorptionists of the East; there has been some in Germany: a few men, both there and in this country, may have been betrayed from the very excess of a contemplative devoutness, united to a poetic temperament without analysis, into the vagueness of this doctrine. But even to them the presence of God is something more personal, practical and ennobling than it is to a clod. Given a clod, and indeed God's presence will not be very salient and impressive. Given a holy, aspiring soul, and the doctrine is robbed of its horrors. But we venture to affirm, that a legitimate Naturalism in alliance with keen eyed and discriminating science, is fast correcting what little vagueness exists upon the subject of the immanence of God. If Mr. Simmons would successfully oppose the oriental impracticability of Pantheism, he must become a Naturalist and believe in inspiration.

We are, therefore, in full harmony, both by theory and temperament, with that fine passage on the eleventh page of his lecture, where Mr. Simmons speaks of the fellowship of the Holy Spirit, the unfathomable depths of devoutness, and the added grace or power, which secret prayer gives to the justice and discretion of the moralist. It is a fine strain, and indicates the direction of Mr. Simmons' influence. And, again, what wisdom there is, though accidentally overlooked here and there by the utterer, in this passage: "I have, I trust, learned the wisdom of being slow in assailing. My experience has taught me that in this, too, discretion is the better part of valor, and that it is more salutary as well as modest, to explain what we deem to be the truth, than to display with exaggerating emphasis, what we imagine to be the error."

But we can imagine the fiery indignation that will surge in the breasts of some brethren in Boston, whom Mr. Simmons has dressed up in the borrowed plumes of his Trinity. What will the relict of Federal Street say upon the information that he is afflicted, internally, with this theological malady? We think we see his rather enthusiastic protestation and rebuff of the indignity. We can cordially sympathize with all the old fashioned Unitarians, to whom the very word Trinity is anathema, and who detest, above all things, this new dodge of the modal, philosophical and sentimental. When shall we give over flirting with that rather sour and ancient maiden? If we must have a Trinity, let us go back to its primitive simplicity, and have a good solid Hindoo specimen with three Avatars, and innumerable legs and arms. That is better than Mr. Simmons' shadowy Glendower, or Mr. Bushnell's pale ghost of Morven. On the whole, we doubt whether the six pious laymen of Boston, in whose pockets resides the magical test and standard of the theology at Cambridge, will endorse this lecture. Lucky it is, therefore, that Mr. Simmons is already settled.

The New Gnosis, is a little tract upon the Trinity, which might serve as the ontological appendix to Mr. Simmons' lecture. The latter deprecates any attempt "to find a necessary cause and basis, in the being of the Self-subsistent, for that threefold character which He assumes to us." And again, Mr. Simmons exclaims, in a sort of horror, "the thought of mapping the Divine mind would fill any single breast with dismay; it could only be enterprised by coöperating generations." Yet Mr. Greene, undismayed, attempts "that awful leap from the illur- . . . " of Mr. Simmons. "to the dark" of the New

Gnosis. If *Gnosis* be derived from the Greek verb "to know," this is certainly a new one. Mr. Greene has all the precision of thought, and acute analysis, the lack of which makes Mr. Simmons' lecture so indefinite and sentimental. But no angel, even if he had been a lawyer in the flesh, could render the impossible intelligible. Suppose it necessary to create a Trinity out of whole cloth, and we acknowledge that Mr. Greene's effort is sufficiently ingenious and amusing. Sir Christopher Wren asked the Royal Academy why a fish, being placed in a vessel with water, would not cause it to overflow. It was wonderful to notice the resources of the human mind: the savans narrowly escaped hatching Wren's bad egg into a callow chick, when Charles the Second doubted whether the proposition were a true one. So, numerous people have been asking, how does it happen that the Self-subsistent exists in Trinity? Mr. Simmons, not being metaphysical, generously disdains to examine the mystery, and trustfully makes it the pivot of his faith. Mr. Greene feels piqued at the idea that any thing can be proposed beyond the legitimating powers of logic, and, not being sentimental, sets about demonstrating this unspilled Trinity of water, fish and vessel in unity. It would be a great economy of brains if we said, once for all, it is a joke.

We find the same objection to Mr. Greene's Trinity, that we find to all the previous statements of that doctrine: it is reducible. It is not the need of affirming the personality of God, but the need of simplicity and unity, which leads us to resolve this threefold result of analysis. Mr. Greene says: "the doctrine of the Trinity is an enumeration of the essential elements of the absolute Self-consciousness, and also an affirmation of the Personality of God." So far as the question of the Divine personality is concerned, it is plain that there is no intrinsic necessity for assuming three elements in God, in order to avoid collapsing into Pantheism. We might as well suppose three essential elements in the human Ego, for the sake of keeping it distinct from Nature and Deity. The mode of God's existence, then, may be considered, aloof from all questions, whether theological or philosophical. But why make out three essential elements? Let us examine Mr. Greene's analysis. The Supreme Intelligence is supremely intelligible to Himself. The Supremely Intelligible is the eternal and eternally generated Word. "And the eternal energy of the Supreme Intelligence, whereby to Himself the



Supreme Intelligence becomes Supremely Intelligible, is the Supreme Spirit and Life." Thus, out of chaos is evoked the Father, the Word and the Spirit. They are only elements within the limits of Absolute Consciousness. As if we should say, that the human Ego subsists in its undetermined consciousness, in its determining energy, and in the determinate objectiveness of its consciousness. But could we say this of the human Ego? Not at all: the first element in this Trinity is self-contradictory. If it is *undetermined*, it is not *conscious*, and if *conscious*, then it is *determined*. It is impossible to eliminate energy and objectiveness from the human subject, and leave consciousness: under such a process, the human subject would collapse, and become a negative quantity; not a quantity capable of producing some correlative effect, but a void negation, helpless and immovable. If, to save the consciousness, you make it *determining*, you immediately include, in that single participle, enough to establish a vital Unity, and to forestall the necessity and possibility of a threefold analysis. The human Ego is a determining consciousness; make three terms of it in trying to define its elements, and you destroy the thing itself, because your first term will be a void formula, and not a power, containing and legitimating the other two terms. Now the result is the same in attempting to map out the Absolute Consciousness. The "Supreme Intelligence" of Mr. Greene's Trinity, is nothing in his analysis, but every thing without it. He says it is a cause without its correlative effect, when this correlative effect is that necessary quality, without which it cannot be a cause. An undetermined Supreme Consciousness could never become supremely intelligible to Himself. To eke out his Trinity, Mr. Greene has abolished the Divine substance itself. His anatomy has exsanguinated his subject. The Supreme cannot be Intelligence, without being contemporaneously intelligible to Himself. Neither can the order be reversed; the Supremely Intelligible, which is the Word, cannot be put in the place of the Supreme Intelligence, which passes for the Father. Nor does it help the matter, to say that the Word is eternal, and eternally generated. That does not save the determining power of the Supreme Intelligence, it simply makes the Word and the Intelligence identical; and that is the very result which renders this Trinity superfluous. Its elements must be reduced, to secure the existence of its primordial one; and when you have done that, the primordial element becomes *the irresolvable thing* itself, which you have

analyzed into a Trinity. And further than this: the reduction of its elements to secure the existence of the first, has plainly removed the need of that mediating energy whereby the Supreme Intelligence becomes Supremely Intelligible to Himself. The Spirit can no longer exist as a separate essential element, since it could never make God Supremely Intelligible, if He were not so already, by being the Supreme Intelligence. And if God has really been, from all eternity, a determining consciousness, a Supreme Intelligence, He has been something as stubbornly irresolvable as an undecomposed empyreal substance, whose simplicity baffles chemistry. If He has not been, from all eternity, a determining consciousness, a cause realized, then He has not been at all.

We object, therefore, to Mr. Greene's theory of Creation, so far as his logic makes it essentially dependent upon the Deity, as thus analyzed by him. But there are a few sentences which, removed from their sequence, are striking and elevating. He says: "This Universe is a Divine process of thought, the development of an infinite and eternal Poem. The Supreme thinks the Universe, and that thought is its existence." It would extend this notice too much, to show in what respects our cosmogony differs from Mr. Greene's, and is independent of his absolutely conditioning Trinity; but we can receive many of his fine sayings without feeling compromised to his premise. In a note he has the following magnificent passage, in illustration of the cosmic separation of individuals by the *out-speaking* of the Word, and the resultant order:

"At the word, *Inspection of Arms!* I have seen innumerable rammers, revolving in the hand, reflect at the same moment the rays of the morning sun. In the beginning of time, the Almighty assumed the command of His army in person; He uttered His voice before His host; He gave the word of command *IHI AOR!* and immediately there rolled from the infinite abyss under darkness, this immeasurable universe of revolving worlds, dilating itself like an avalanche of visible glory, through inexhaustible spheres. There was the ringing crash of the jubilant creation, and afterwards fixed order, and a silence that might be felt; for, in this crash, the relations of *time* and *space* had thundered into being."

Ponder the diction in which Mr. Greene has clothed the above exalted conception; it will appear turgid and affected until you have reproduced the image. Ever since an army officer saw the sun go down, "with his battle-stained eye,"

we have doubted whether lieutenants were capable of any poetry, except that of action. This Miltonic note redeems the character of the army, and — we were on the point of saying — of the Florida War itself. If General Taylor gave that command, "Inspection of Arms," we are reconciled to his election; and if the flash and ring of "innumerable rammers," would always linger in the memory as the filament of figures as noble as this one, we should be the sworn foes of the Peace Society. But we are persuaded that neither angels, nor principalities, nor powers, "nor any other creature," can make a Trinity out of a necessarily undecomposable Unity.

## IV

## THE WRITINGS OF RALPH WALDO EMERSON.

- 1.—*Nature, &c.* Boston. 1836. 1 vol. 12mo.
- 2.—*Essays.* By R. W. EMERSON. Boston. 1841. 1 vol. 12mo.
- 3.—*Essays. Second Series.* By R. W. EMERSON. Ibid. 1844. 1 vol. 12mo.
- 4.—*Poems.* By R. W. EMERSON. Ibid. 1847. 1 vol. 12mo.
- 5.—*Nature, Addresses and Orations.* By R. W. EMERSON. Ibid. 1849. 1 vol. 12mo.
- 6.—*Representative Men: Seven Lectures.* By R. W. EMERSON. Ibid. 1850. 1 vol. 12mo.

WHEN a hen lays an egg in the farmer's mow, she cackles quite loud and long. "See," says the complacent bird, "see what an egg I have laid!" all the other hens cackle in sympathy, and seem to say, "what a nice egg has got laid! was there ever such a family of hens as our family?" But the cackling is heard only a short distance, in the neighboring barnyards; a few yards above, the blue sky is silent. By and by the rest will drop their daily burthen, and she will cackle with them in sympathy — but ere long the cackling is still; the egg has done its service, been addled, or eaten, or perhaps proved fertile of a chick, and it is forgotten, as well as the cackler who laid the ephemeral thing. But when an acorn in June first uncloses its shell, and the young oak puts out its earliest shoot, there is no noise; none attending its growth,

yet it is destined to last some half a thousand years as a living tree, and serve as long after that for sound timber. Slowly and in silence, unseen in the dim recesses of the earth, the diamond gets formed by small accretions, age after age. There is no cackling in the caverns of the deep, as atom journeys to its fellow atom and the crystal is slowly getting made, to shine on the bosom of loveliness, or glitter in the diadem of an emperor, a thing of beauty and a joy forever.

As with eggs, so is it with little books, when one of them is laid in some bookseller's mow, the parent and the literary barnyard are often full of the foolishlest cackle, and seem as happy as the ambiguous offspring of frogs, in some shallow pool, in early summer. But by and by it is again with the books as with the eggs; the old noise is all hushed, and the little books all gone, while new authors are at the same work again.

Gentle reader, we will not find fault with such books, they are as useful as eggs; yea, they are indispensable; the cackle of authors, and that of hens—why should they not be allowed? Is it not written that all things shall work after their kind, and so produce; and does not this rule extend from the hen-roost to the American Academy and all the Royal Societies of Literature in the world? Most certainly. But when a great book gets written, it is published with no fine flourish of trumpets; the world does not speedily congratulate itself on the accession made to its riches; the book must wait awhile for its readers. Literary gentlemen of the tribe of Bavus and Mævius are popular in their time, and get more praise than bards afterwards famous. What audience did Athens and Florence give to their Socrates and their Dante? What price did Milton get for the *Paradise Lost*; how soon did men appreciate Shakspeare? Not many years ago, George Steevens, who “edited” the works of that bard, thought an “Act of Parliament was not strong enough” to make men read his sonnets, though they bore the author up to a great height of fame, and he sat where Steevens “durst not soar.” In 1686, there had been four editions of Flatman's *Poems*; five of Waller's; eight of Cowley's; but in eleven years, of the *Paradise Lost* only three thousand copies were sold; yet the edition was cheap, and Norris of Bemerton went through eight or nine editions in a quite short time. For forty-one years, from 1623 to 1664, England was satisfied with two editions of Shakspeare, making, perhaps, one thousand copies in all.

Says Mr. Wordsworth of these facts: "There were readers in multitudes; but their money went for other purposes, as their admiration was fixed elsewhere." Mr. Wordsworth himself, furnishes another example. Which found the readiest welcome, the *Excursion* and the *Lyrical Poems* of that writer, or Mr. Macaulay's *Lays of Ancient Rome*? How many a little philosophist in Germany went up in his rocket-like ascension, while the bookseller at Königsberg despaired over the unsaleable sheets of Immanuel Kant!

Says an Eastern proverb, "the sage is the instructor of a hundred ages," so he can afford to wait till one or two be past away, abiding with the few, waiting for the fit and the many. Says a writer:

"There is somewhat touching in the madness with which the passing age mischooses the object on which all candles shine, and all eyes are turned; the care with which it registers every trifle touching Queen Elizabeth, and King James, and the Essexes, Leicesters, Burleighs, and Buckinghams; and lets pass, without a single valuable note, the founder of another dynasty, which alone will cause the Tudor dynasty to be remembered, — the man who carries the Saxon race in him by the inspiration which feeds him, and on whose thoughts the foremost people of the world are now for some ages to be nourished, and minds to receive this and not another bias. A popular player, — nobody suspected he was the poet of the human race; and the secret was kept as faithfully from poets and intellectual men, as from courtiers and frivolous people. Bacon, who took the inventory of the human understanding for his times, never mentioned his name. Ben Jonson, had no suspicion of the elastic fame whose first vibrations he was attempting. He no doubt thought the praise he has conceded to him generous, and esteemed himself, out of all question, the better poet of the two.

"If it need wit to know wit, according to the proverb, Shakspeare's time should be capable of recognizing it. . . . Since the constellation of great men who appeared in Greece in the time of Pericles, there was never any such society; — yet their genius failed them to find out the best head in the universe. Our poet's mask was impenetrable. You cannot see the mountain near. It took a century to make it suspected; and not until two centuries had passed, after his death, did any criticism which we think adequate begin to appear. It was not possible to write the history of Shakspeare till now."

It is now almost fourteen years since Mr. Emerson published his first book: *Nature*. A beautiful work it was and

will be deemed for many a year to come. In this old world of literature, with more memory than wit, with much tradition and little invention, with more fear than love, and a great deal of criticism upon very little poetry, there came forward this young David, a shepherd, but to be a king, "with his garlands and singing robes about him;" one note upon his new and fresh-strung lyre was "worth a thousand men." Men were looking for something original, they always are; when it came, some said it thundered, others that an angel had spoke. How men wondered at the little book! It took nearly twelve years to sell the five hundred copies of *Nature*. Since that time Mr. Emerson has said much, and if he has not printed many books, at least has printed much; some things far surpassing the first essay, in richness of material, in perfection of form, in continuity of thought; but nothing which has the same youthful freshness, and the same tender beauty as this early violet, blooming out of Unitarian and Calvinistic sand or snow. Poems and essays of a later date, are there, which show that he has had more time and woven it into life; works which present us with thought deeper, wider, richer, and more complete, but not surpassing the simplicity and loveliness of that maiden flower of his poetic spring.

We know how true it is, that a man cannot criticize what he cannot comprehend, nor comprehend either a man or a work greater than himself. Let him get on a Quarterly never so high, it avails him nothing; "pyramids are pyramids in vales," and emmets are emmets even in a Review. Critics often afford an involuntary proof of this adage, yet grow no wiser by the experience. Few of our tribe can make the simple shrift of the old Hebrew poet, and say, "*we* have not exercised ourselves in great matters, nor in things too high for *us*." Sundry Icarian critics have we seen, wending their wearying way on waxen wing to overtake the eagle flight of Emerson; some of them have we known getting near enough to see a fault, to overtake a feather falling from his wing, and with that tumbling to give name to a sea, if one cared to notice to what depth they fell.

Some of the criticisms on Mr. Emerson, transatlantic and cisatlantic, have been very remarkable, not to speak more definitely. "What of this new book?" said Mr. Public to the reviewer, who was not "seized and tied down to judge," but of his own free will stood up and answered: "Oh! 't is out of all plumb, my lord — quite an irregular thing! not one

of the angles at the four corners is a right angle. I had my rule and compasses, my lord, in my pocket. And for the poem, your lordship bid me look at it — upon taking the length, breadth, height, and depth of it, and trying them at home, upon an exact scale of Bossu's — they are out, my lord, in every one of their dimensions."

Oh, gentle reader, we have looked on these efforts of our brother critics not without pity. There is an excellent bird, ✓terrene, marine, and semi-aerial; a broad-footed bird, broad-beaked, broad-backed, broad-tailed; a notable bird she is, and a long lived; a useful bird, once indispensable to writers, as furnishing the pen, now fruitful in many a hint. But when she undertakes to criticize the music of the thrush, or the movement of the humming bird, why, she oversteps the modesty of her nature, and if she essays the flight of the eagle — she is fortunate if she falls only upon the water. "No man," says the law, "may stultify himself." Does not this canon apply to critics? No, the critic may do so. Suicide is a felony, but if a critic only slay himself critically, dooming himself to "hoise with his own petard," why 't is to be forgiven

"That in our aspirations to be great,  
Our destinies o'erleap our mortal state."

In a place where there were no Quarterly Journals, the voracious historian Sir Walter Scott, relates that Claud Halcro, ambitious of fame, asked his fortune of an Orcadian soothsayer :

"Tell me, shall my lays be sung,  
Like Hacon's of the golden tongue,  
Long after Halcro's dead and gone?  
Or shall Hialtland's minstrel own,  
One note to rival glorious John?"

She answers, that as things work after their kind, the result is after the same kind:

"The eagle mounts the polar sky,  
The Imber-geese unskilled to fly,  
Must be content to glide along  
When seal and sea-dog list his song."

We are warned by the fate of our predecessors, when their example does not guide us; we confess not only our inferiority to Mr. Emerson, but our consciousness of the fact, and believe that they should "judge others who themselves excel," and that authors, like others on trial, should be judged by their peers. So we will not call this a criticism, which we are about to ✓

write on Mr. Emerson, only an attempt at a contribution towards a criticism, hoping that in due time, some one will come and do faithfully and completely, what it is not yet time to accomplish, still less within our power to do.

All of Mr. Emerson's literary works, with the exception of the Poems, were published before they were printed; delivered by word of mouth to various audiences. In frequently reading his pieces, he had an opportunity to see any defect of form and amend it. Mr. Emerson has won by his writings a more desirable reputation, than any other man of letters in America has yet attained. It is not the reputation which brings him money or academic honors, or membership of learned societies; nor does it appear conspicuously in the literary Journals as yet. But he has a high place among thinking men, on both sides of the water; we think no man who writes the English tongue has now so much influence in forming the opinions and character of young men and women. His audience steadily increases, at home and abroad, more rapidly in England than America. It is now with him as it was, at first, with Dr. Channing; the fairest criticism has come from the other side of the water; the reason is that he, like his predecessor, offended the sectarian and party spirit, the personal prejudices of the men about him; his life was a reproach to them, his words an offence, or his doctrines alarmed their sectarian, their party, or their personal pride, and they accordingly condemned the man. A writer who should bear the same relation to the English mind as Emerson to ours, for the same reason would be more acceptable here than at home. Emerson is neither a sectarian nor a partisan, no man less so; yet few men in America have been visited with more hatred,—private personal hatred, which the authors poorly endeavored to conceal, and perhaps did hide from themselves. The spite we have heard expressed against him, by men of the common morality, would strike a stranger with amazement, especially when it is remembered that his personal character and daily life are of such extraordinary loveliness. This hatred has not proceeded merely from ignorant men, in whom it could easily be excused; but more often from men who have had opportunities of obtaining as good a culture as men commonly get in this country. Yet while he has been the theme of vulgar abuse, of sneers and ridicule in public, and in private; while critics, more remarkable for the venom of their poison than the strength of their bow, have shot at him their



little shafts, barbed more than pointed, he has also drawn about him some of what old Drayton called "the idle smoke of praise." Let us see what he has thrown into the public fire to cause this incense; what he has done to provoke the immediate rage of certain other men; let us see what there is in his works, of old or new, true or false, what American and what cosmopolitan; let us weigh his works with such imperfect scales as we have, weigh them by the universal standard of Beauty, Truth and Love, and make an attempt to see what he is worth.

American literature may be distributed into two grand divisions: namely, the permanent literature, consisting of books not written for a special occasion, books which are bound between hard covers; and the transient literature, written for some special occasion and not designed to last beyond that. Our permanent literature is almost wholly an imitation of old models. The substance is old, and the form old. There is nothing American about it. But as our writers are commonly quite deficient in literary culture and scientific discipline, their productions seem poor when compared with the imitative portion of the permanent literature in older countries, where the writers start with a better discipline and a better acquaintance with letters and art. This inferiority of culture is one of the misfortunes incident to a new country, especially to one where practical talent is so much, and so justly preferred to merely literary accomplishment and skill. This lack of culture is yet more apparent, in general, in the transient literature, which is produced mainly by men who have had few advantages for intellectual discipline in early life, and few to make acquaintance with books at a later period. That portion of our literature is commonly stronger and more American, but it is often coarse and rude. The permanent literature is imitative; the other is rowdy. But we have now no time to dwell upon this theme, which demands a separate paper.

Mr. Emerson is the most American of our writers. The Idea of America, which lies at the bottom of our original institutions, appears in him with great prominence. We mean the idea of personal freedom, of the dignity and value of human nature, the superiority of a man to the accidents of a man. Emerson is the most republican of republicans, the most protestant of the dissenters. Serene as a July sun, he is equally fearless. He looks every thing in the face modestly, but with earnest scrutiny, and passes judgment upon

its merits. Nothing is too high for his examination ; nothing too sacred. On earth only one thing he finds which is thoroughly venerable, and that is the nature of man ; not the accidents, which make a man rich or famous, but the substance, which makes him a man. The man is before the institutions of man ; his nature superior to his history. All finite things are only appendages of man, useful, convenient, or beautiful. Man is master, and nature his slave, serving for many a varied use. The results of human experience — the state, the church, society, the family, business, literature, science, art — all of these are subordinate to man : if they serve the individual, he is to foster them, if not, to abandon them and seek better things. He looks at all things, the past and the present, the state and the church, Christianity and the market-house, in the daylight of the intellect. Nothing is allowed to stand between him and his manhood. Hence, there is an apparent irreverence ; he does not bow to any hat which Gessler has set up for public adoration, but to every man, canonical or profane, who bears the mark of native manliness. He eats show-bread, if he is hungry. While he is the most American, he is almost the most cosmopolitan of our writers, the least restrained and belittled by the popular follies of the nation or the age.

In America, writers are commonly kept in awe and subdued by fear of the richer class, or that of the mass of men. Mr. Emerson has small respect for either ; would bow as low to a lackey as a lord, to a clown as a scholar, to one man as a million. He spurns all constitutions but the law of his own nature, rejecting them with manly scorn. The traditions of the churches are no hindrances to his thought ; Jesus or Judas were the same to him, if either stood in his way and hindered the proportionate development of his individual life. The forms of society and the ritual of scholarship are no more effectual restraints. His thought of today is no barrier to freedom of thought tomorrow, for his own nature is not to be subordinated, either to the history of man, or his own history. "Tomorrow to fresh fields and pastures new," is his motto.

Yet, with all this freedom, there is no wilful display of it. He is so confident of his freedom, so perfectly possessed of his rights, that he does not talk of them. They appear, but are not spoken of. With the hopefulness and buoyant liberty of America, he has none of our ill-mannered boasting. He crit-

icizes America often; he always appreciates it; he seldom praises, and never brags of our country. The most democratic of democrats, no disciple of the old régime is better mannered, for it is only the vulgar democrat or aristocrat who flings his follies in your face. While it would be difficult to find a writer so uncompromising in his adhesion to just principles, there is not in all his works a single jeer or ill-natured sarcasm. None is less addicted to the common forms of reverence, but who is more truly reverential?

While his Idea is American, the form of his literature is not less so. It is a form which suits the substance, and is modified by the institutions and natural objects about him. You see that the author lives in a land with free institutions, with town-meetings and ballot-boxes; in the vicinity of a decaying church; amongst men whose terrible devils are Poverty and Social Neglect, the only devils whose damnation is much cared for. His geography is American. Katskill and the Alleghanies, Monadnock, Wachusett, and the uplands of New Hampshire, appear in poetry or prose; Contocook and Agiochook are better than the Ilyssus, or Pactolus, or "smooth-sliding Mincius, crowned with vocal reeds." New York, Fall River, and Lowell have a place in his writings, where a vulgar Yankee would put Thebes or Pæstum. His men and women are American—John and Jane, not Coriolanus and Persephone. He tells of the rhodora, the club-moss, the blooming clover, not of the hibiscus and the asphodel. He knows the humblebee, the blackbird, the bat, and the wren, and is not ashamed to say or sing of the things under his own eyes. He illustrates his high thought by common things out of our plain New England life—the meeting in the church, the Sunday school, the dancing-school, a huckleberry party, the boys and girls hastening home from school, the youth in the shop, beginning an unconscious courtship with his unheeding customer, the farmers about their work in the fields, the bustling trader in the city, the cattle, the new hay, the voters at a town-meeting, the village brawler in a tavern full of tipsy riot, the conservative who thinks the nation is lost if his ticket chance to miscarry, the bigot worshipping the knot hole through which a dusty beam of light has looked in upon his darkness, the radical who declares that nothing is good if established, and the patent reformer who screams in your ears that he can finish the world with a single touch,—and out of all these he makes his poetry, or illustrates his philosophy. Now and then

he wanders off to other lands, reports what he has seen, but it is always an American report of what an American eye saw. Even Mr. Emerson's recent exaggerated praise of England is such a panegyric as none but an American could bestow.

We know an American artist who is full of American scenery. He makes good drawings of Tivoli and Subiaco, but, to color them, he dips his pencil in the tints of the American heaven, and over his olive trees and sempervives, his asses and his priests, he sheds the light only of his native sky. So is it with Mr. Emerson. Give him the range of the globe, it is still an American who travels.

Yet with this indomitable nationality, he has a culture quite cosmopolitan and extraordinary in a young nation like our own. Here is a man familiar with books, not with many, but the best books, which he knows intimately. He has kept good company. Two things impress you powerfully and continually — the man has seen nature, and been familiar with books. His literary culture is not a varnish on the surface; not a mere polish of the outside; it has penetrated deep into his consciousness. The salutary effect of literary culture, is more perceptible in Emerson than in any American that we know, save one, a far younger man, and of great promise, of whom we shall speak at some other time.

We just now mentioned that our writers were sorely deficient in literary culture. Most of them have only a smattering of learning, but some have read enough, read and remembered with ability to quote. Here is one who has evidently read much, his subject required it, or his disposition, or some accident in his history furnished the occasion; but his reading appears only in his quotations, or references in the margin. His literature has not penetrated his soul and got incorporated with his whole consciousness. You see that he has been on Parnassus, by the huge bouquet, pedantic in its complexity, that he affronts you with; not by the odor of the flowers he has trampled or gathered in his pilgrimage, not by Parnassian dust clinging to his shoes, or mountain vigor in his eye. The rose gatherer smells of his sweets, and needs not prick you with the thorn to apprise you of what he has dealt in.

Here is another writer who has studied much in the various literatures of the world, but has lost himself therein. Books supersede things, art stands between him and nature, his figures are from literature not from the green world. Nationali-

ty is gone. A traveller on the ocean of letters, he has a mistress in every port, and a lodging place where the night overtakes him; all flags are the same to him, all climes; he has no wife, no home, no country. He has dropped nationality, and in becoming a cosmopolitan, has lost his citizenship everywhere. So, with all Christendom and heathendom for his metropolis, he is an alien everywhere in the wide world. He has no literary inhabitiveness. Now he studies one author, and is the penumbra thereof for a time; now another, with the same result. Trojan or Tyrian is the same to him, and he is Trojan or Tyrian as occasion demands. A thin vapory comet, with small momentum of its own, he is continually deflected from his natural course by the attraction of other and more substantial bodies, till he has forgotten that he ever had any orbit of his own, and dangles in the literary sky, now this way drawn, now that, his only certain movement an oscillation. With a chameleon variability, he attaches himself to this or the other writer, and for the time, his own color disappears and he along with it.

With Emerson, all is very different; his literary culture is of him, and not merely on him. His learning appears not in his quotations, but in his talk. It is the wine itself, and not the vintner's brand on the cask, which shows its quality. In his reading and his study, he is still his own master. He has not purchased his education with the loss of his identity, not of his manhood; nay, he has not forgotten his kindred in getting his culture. He is still the master of himself; no man provokes him even into a momentary imitation. He keeps his individuality with maidenly asceticism, and with a conscience rarely found amongst literary men. Virgil homerizes, hesiodizes, and plays Theocritus now and then. Emerson plays Emerson, always Emerson. He honors Greece, and is not a stranger with her noblest sons; he pauses as a learner before the lovely muse of Germany; he bows low with exaggerating reverence before the practical skill of England, but no one, nor all of these have power to subdue that serene and upright intellect. He rises from the oracle he stooped to consult just as erect as before. His reading gives a certain richness to his style, which is more literary than that of any American writer that we remember; as much so as that of Jeremy Taylor. He takes much for granted in his reader, as if he were addressing men who had read every thing, and wished to be reminded of what they had read. In classic times, there was no reading

public, only a select audience of highly cultivated men. It was so in England once; the literature of that period indicates the fact. Only religious and dramatic works were designed for pit, box, and gallery. Nobody can speak more clearly and more plainly than Emerson, but take any one of his essays or orations, and you see that he does not write in the language of the mass of men, more than Thucydides or Tacitus. His style is allusive, as an ode of Horace or Pindar, and the allusions are to literature which is known to but few. Hence, while his thought is human in substance, and American in its modifications, and therefore easily grasped, comprehended, and welcomed by men of the commonest culture, it is but few who understand the entire meaning of the sentences which he writes. His style reflects American scenery, and is dimpled into rare beauty as it flows by, and so has a pleasing fascination, but it reflects also the literary scenery of his own mind, and so half of his thought is lost on half his readers. Accordingly no writer or lecturer finds a readier access for his thoughts to the mind of the people at large, but no American author is less intelligible to the people in all his manifold meaning and beauty of allusion. He has not completely learned to think with the sagest sages and then put his thoughts into the plain speech of plain men. Every word is intelligible in the massive speech of Mr. Webster, and has its effect, while Emerson has still something of the imbecility of the scholar, as compared to the power of the man of action, whose words fall like the notes of the wood-thrush, each in its time and place, yet without picking and choosing. "Blacksmiths and teamsters do not trip in their speech," says he, "it is a shower of bullets. It is Cambridge men who correct themselves, and begin again at every half sentence; and moreover, will pun and refine too much, and swerve from the matter to the expression." But of the peculiarities of his style we shall speak again.

Emerson's works do not betray any exact scholarship, which has a certain totality, as well as method about it. It is plain to see that his favorite authors have been Plutarch, especially that outpouring of his immense common-place book, his "Moral Writings," Montaigne, Shakspeare, George Herbert, Milton, Wordsworth, Coleridge, and Carlyle. Of late years, his works contain allusions to the ancient oriental literature, from which he has borrowed some hard names and some valuable thoughts, but is occasionally led astray by its influence,

for it is plain that he does not understand that curious philosophy he quotes from. Hence his oriental allies are brought up to take a stand which no man dreamed of in their time, and made to defend ideas not known to men till long after these antediluvian sages were at rest in their graves.

In Emerson's writings, you do not see indications of exact mental discipline, so remarkable in Bacon, Milton, Taylor, and South, in Schiller, Lessing, and Schleiermacher; neither has he the wide range of mere literature noticeable in all other men. He works up scientific facts in his writings with great skill, often penetrating beyond the fact, and discussing the idea out of which it, and many other kindred facts seem to have proceeded: this indicates not only a nice eye for facts, but a mind singularly powerful to detect latent analogies, and see the one in the many. Yet there is nothing to show any regular and systematic discipline in science which appears so eminently in Schiller and Hegel. He seems to learn his science from occasional conversation with men of science, or from statements of remarkable discoveries in the common Journals, not from a careful and regular study of facts or treatises.

With all his literary culture he has an intense love of nature, a true sight and appreciation thereof; not the analytic eye of the naturalist, but the synthetic vision of the poet. A book never clouds his sky. His figures are drawn from nature, he sees the fact. No chart of nature hangs up in his windows to shut out nature herself. How well he says:

"If a man would be alone, let him look at the stars. The rays that come from those heavenly worlds, will separate between him and vulgar things. One might think the atmosphere was made transparent with this design, to give man in the heavenly bodies, the perpetual presence of the sublime. Seen in the streets of cities, how great they are! If the stars should appear one night in a thousand years, how would men believe and adore; and preserve for many generations the remembrance of the city of God, which had been shown! But every night come out these preachers of beauty, and light the universe with their admonishing smile. . . . "To speak truly, few adult persons can see nature. Most persons do not see the sun. At least they have a very superficial seeing. The sun illuminates only the eye of the man, but shines into the eye and the heart of the child. The lover of nature is he whose inward and outward senses are still truly adjusted to each other; who has retained the spirit of infancy even into the era of manhood. His intercourse with heaven and earth, becomes part of his daily food. In the presence of nature, a wild delight runs

through the man, in spite of real sorrows. Nature says, — he is my creature, and maugre all his impertinent griefs, he shall be glad with me. Not the sun or the summer alone, but every hour and season yields its tribute of delight; for every hour and change corresponds to and authorizes a different state of the mind, from breathless noon to grimmest midnight. Nature is a setting that fits equally well a comic or a mourning piece. In good health, the air is a cordial of incredible virtue. Crossing a bare common, in snow puddles, at twilight, under a clouded sky, without having in my thoughts any occurrence of special good fortune, I have enjoyed a perfect exhilaration. Almost I fear to think how glad I am. In the woods too, a man casts off his years, as the snake his slough, and at what period soever of life, is always a child. In the woods, is perpetual youth. Within these plantations of God, a decorum and sanctity reign, a perennial festival is dressed, and the guest sees not how he should tire of them in a thousand years. In the woods, we return to reason and faith. There I feel that nothing can befall me in life, — no disgrace, no calamity, (leaving me my eyes,) which nature cannot repair. Standing on the bare ground, — my head bathed by the blithe air, and uplifted into infinite space, — all mean egotism vanishes. I become a transparent eyeball. I am nothing. I see all. The currents of the Universal Being circulate through me; I am part or particle of God. The name of the nearest friend sounds then foreign and accidental. To be brothers, to be acquaintances, — master or servant, is then a trifle and a disturbance. I am the lover of uncontained and immortal beauty. In the wilderness, I find something more dear and connate than in streets or villages. In the tranquil landscape, and especially in the distant line of the horizon, man beholds somewhat as beautiful as his own nature. . . .

“The tradesman, the attorney, comes out of the din and craft of the street, and sees the sky and the woods, and is a man again. In their eternal calm, he finds himself. The health of the eye seems to demand a horizon. We are never tired, so long as we can see far enough.

But in other hours, nature satisfies the soul purely by its loveliness, and without any mixture of corporeal benefit. I have seen the spectacle of morning from the hill-top over against my house, from day-break to sun-rise, with emotions which an angel might share. The long slender bars of cloud float like fishes in the sea of crimson light. From the earth as a shore, I look out into that silent sea. I seem to partake its rapid transformations: the active enchantment reaches my dust, and I dilate and conspire with the morning wind. How does nature deify us with a few and cheap elements? Give me health and a day, and I will make the pomp of emperors ridiculous. The dawn is my Assyria; the sunset and moon-rise my Paphos, and unimaginable realms of faerie;



broad noon shall be my England of the senses and the understanding; the night shall be my Germany of mystic philosophy and dreams."—*Nature*, pp. 9 — 10, 11 — 13, 21 — 22.

Most writers are demonized or possessed by some one truth, or perhaps some one whim. Look where they will, they see nothing but that. Mr. Emerson holds himself erect, and no one thing engrosses his attention, no one idea; no one intellectual faculty domineers over the rest. Sensation does not dim reflection, nor does his thought lend its sickly hue to the things about him. Even Goethe, with all his boasted equilibrium, held his intellectual faculties less perfectly in hand than Emerson. He has no hobbies to ride; even his fondness for the ideal and the beautiful, does not hinder him from obstinately looking real and ugly things in the face. He carries the American idea of freedom into his most intimate personality, and keeps his individuality safe and sacred. He cautions young men against stooping their minds to other men. He knows no master. Sometimes this is carried to an apparent excess, and he underrates the real value of literature, afraid lest the youth become a bookworm, and not a man thinking. But how well he says:

"Meek young men grow up in libraries, believing it their duty to accept the views, which Cicero, which Locke, which Bacon, have given, forgetful that Cicero, Locke, and Bacon were only young men in libraries, when they wrote these books. Hence, instead of Man Thinking, we have the bookworm.

"Books are the best of things, well used; abused, among the worst. What is the right use? What is the one end, which all means go to effect? They are for nothing but to inspire. I had better never see a book, than to be warped by its attraction clean out of my own orbit, and made a satellite instead of a system. The one thing in the world, of value, is the active soul. This every man is entitled to; this every man contains within him, although, in almost all men, obstructed, and as yet unborn. The soul active sees absolute truth; and utters truth, or creates. . . . The book, the college, the school of art, the institution of any kind, stop with some past utterance of genius. This is good, say they,—let us hold by this. They pin me down. They look backward and not forward. But genius looks forward: the eyes of man are set in his forehead, not in his hindhead: man hopes: genius creates. Whatever talents may be, if the man create not, the pure efflux of the Deity is not his;—cinders and smoke there may be, but not yet flame. . . .

"The world of any moment is the merest appearance. Some

great decorum, some fetish of a government, some ephemeral trade, or war, or man, is cried up by half mankind and cried down by the other half, as if all depended on this particular up or down. The odds are that the whole question is not worth the poorest thought which the scholar has lost in listening to the controversy. Let him not quit his belief that a popgun is a popgun, though the ancient and honorable of the earth affirm it to be the crack of doom. In silence, in steadiness, in severe abstraction, let him hold by himself; add observation to observation, patient of neglect, patient of reproach, and bide his own time,—happy enough, if he can satisfy himself alone, that this day he has seen something truly. Success treads on every right step. For the instinct is sure, that prompts him to tell his brother what he thinks. He then learns, that in going down into the secrets of his own mind, he has descended into the secrets of all minds. He learns that he who has mastered any law in his private thoughts, is master to that extent of all men whose language he speaks, and of all into whose language his own can be translated. The poet, in utter solitude remembering his spontaneous thoughts and recording them, is found to have recorded that, which men in crowded cities find true for them also.” — *Nature and Addresses*, pp. 85, 85 — 86, 98 — 99.

To us the effect of Emerson's writings is profoundly religious; they stimulate to piety, the love of God, to goodness as the love of man. We know no living writer, in any language, who exercises so powerful a religious influence as he. Most young persons, not ecclesiastical, will confess this. We know he is often called hard names on pretence that he is not religious. We remember once being present at a meeting of gentlemen, scholarly men some of them, after the New England standard of scholarship, who spent the evening in debating “Whether Ralph Waldo Emerson was a Christian.” The opinion was quite generally entertained that he was not; for “discipleship was necessary to Christianity.” “And the essence of Christian discipleship” was thought to consist in “sitting at the feet of our blessed Lord (pronounced Laawd!) and calling him Master, which Emerson certainly does not do.” We value Christianity as much as most men, and the name Christian is to us very dear; but when we remembered the character, the general tone and conduct of the men who arrogate to themselves the name Christian, and seem to think they have a right to monopolize the Holy Spirit of Religion, and “shove away the worthy bidden guest,” the whole thing reminded us of a funny story related by an old writer: “It was once proposed in the British House of Commons, that James Usher, afterward the celebrated Archbishop of Armagh, but then a

young man, should be admitted to the assembly of the "King's Divines." The proposition, if we remember rightly, gave rise to some debate, upon which John Selden, a younger man than Usher, but highly distinguished and much respected, rose and said that it reminded him of a proposition which might be made, that Inigo Jones, the famous architect, should be admitted to the worshipful company of Mousetrap Makers!"

Mr. Emerson's writings are eminently religious; christian in the best sense of that word. This has often been denied for two reasons: because Mr. Emerson sets little value on the mythology of the Christian sects, no more perhaps than on the mythology of the Greeks and the Scandinavians, and also because his writings far transcend the mechanical morality and formal pietism, commonly recommended by gentlemen in pulpits. Highly religious, he is not at all ecclesiastical or bigoted. He has small reverence for forms and traditions; a manly life is the only form of religion which he recognizes, and hence we do not wonder at all that he also has been deemed an infidel. It would be very surprising if it were not so. Still it is not religion that is most conspicuous in these volumes; that is not to be looked for except in the special religious literature, yet we must confess that any one of Emerson's works seems far more religious than what are commonly called "good books," including the class of sermons.

To show what is in Mr. Emerson's books and what is not, let us make a little more detailed examination thereof. He is not a logical writer, not systematic; not what is commonly called philosophical; didactic to a great degree, but never demonstrative. So we are not to look for a scientific plan, or for a system, of which the author is himself conscious. Still, in all sane men, there must be a system, though the man does not know it. There are two ways of reporting upon an author: one is to represent him by specimens, the other to describe him by analysis; one to show off a finger or foot of the Venus de Medici, the other to give the dimensions thereof. We will attempt both and will speak of Mr. Emerson's starting point, his *terminus a quo*; then of his method of procedure, his *via in quâ*; then of the conclusion he arrives at, his *terminus ad quem*. In giving the dimensions of his statue, we shall exhibit also some of the parts described.

Most writers, knowingly or unconsciously, take as their point of departure some special and finite thing. This man starts from a tradition, the philosophical tradition of Aristotle, Plato,

Leibnitz or Locke, this from the theological tradition of the Protestants or the Catholics and never will dare get out of sight of his authorities; he takes the bearing of every thing from his tradition. Such a man may sail the sea for ages, he arrives nowhere at the last. Our traditionist must not outgo his tradition; the Catholic must not get beyond his church, nor the Protestant outtravel his Bible. Others start from some fixed fact, a sacrament, a constitution, the public opinion, the public morality, or the popular religion. This they are to defend at all hazards; of course they will retain all falsehood and injustice which favor this institution, and reject all justice and truth which oppose the same. Others pretend to start from God, but in reality do take their departure from a limited conception of God, from the Hebrew notion of Him, or the Catholic notion, from the Calvinistic or the Unitarian notion of God. By and by they are hindered and stopped in their progress. The philosophy of these three classes of men, is always vitiated by the prejudice they start with:

Mr. Emerson takes Man for his point of departure, he means to take the whole of man; man with his history, man with his nature, his sensational, intellectual, moral, affectional and religious instincts and faculties. With him man is the measure of all things, of ideas and of facts; if they fit man they are accepted, if not, thrown aside. This appears in his first book and in his last:

"The foregoing generations beheld God and nature face to face; we, through their eyes. Why should not we also enjoy an original relation to the universe? Why should not we have a poetry and philosophy of insight and not of tradition, and a religion by a revelation to us, and not the history of theirs? Embosomed for a season in nature, whose floods of life stream around and through us, and invite us by the powers they supply, to action proportioned to nature, why should we grope among the dry bones of the past, or put the living generation into masquerade out of its faded wardrobe? The sun shines today also. There is more wool and flax in the fields. There are new lands, new men, new thoughts. Let us demand our own works and laws and worship." — *Nature*, pp. 5 — 6.

Again he speaks in a higher mood of the same theme:

"That is always best which gives me to myself. The sublime is excited in me by the great stoical doctrine, Obey thyself. That which shows God in me, fortifies me. That which shows God out of me, makes me a wart and a wen. There is no longer a

necessary reason for my being. Already the long shadows of untimely oblivion creep over me, and I shall de cease forever."

"Wherever a man comes, there comes revolution. The old is for slaves. When a man comes, all books are legible, all things transparent, all religions are forms. He is religious. Man is the wonder worker. He is seen amid miracles. All men bless and curse. He saith yea and nay, only. The stationariness of religion; the assumption that the age of inspiration is past, that the Bible is closed; the fear of degrading the character of Jesus by representing him as a man; indicate with sufficient clearness the falsehood of our theology. It is the office of a true teacher to show us that God is, not was; that he speaketh, not spake."

"Let me admonish you, first of all, to go alone; to refuse the good models, even those which are sacred in the imagination of men, and dare to love God without mediator or veil. Friends enough you shall find who will hold up to your emulation Wesleys and Oberlins, Saints and Prophets. Thank God for these good men, but say, 'I also am a man.' Imitation cannot go above its model. The imitator dooms himself to hopeless mediocrity. The inventor did it, because it was natural to him, and so in him it has a charm. In the imitator, something else is natural, and he be-reaves himself of his own beauty, to come short of another man's."

Yourself a newborn bard of the Holy Ghost,—cast behind you all conformity, and acquaint men at first hand with Deity. Look to it first and only, that fashion, custom, authority, pleasure, and money, are nothing to you,—are not bandages over your eyes, that you cannot see,—but live the privilege of the immeasurable mind."—*Nature, Addresses, &c.*, pp. 127 — 128, 139 — 140, 141.

"Let man then learn the revelation of all nature, and all thought to his heart: this, namely; that the Highest dwells with him; that the sources of nature are in his own mind, if the sentiment of duty is there. But if he would know what the great God speaketh, he must 'go into his closet and shut the door,' as Jesus said. God will not make Himself manifest to cowards. He must greatly listen to himself, withdrawing himself from all the accents of other men's devotion. Their prayers even are hurtful to him, until he have made his own. The soul makes no appeal from itself. Our religion vulgarly stands on numbers of believers. Whenever the appeal is made,—no matter how indirectly,—to numbers, proclamation is then and there made, that religion is not. He that finds God a sweet, enveloping thought to him, never counts his company. When I sit in that presence, who shall dare to come in? When I rest in perfect humility, when I burn with pure love,—what can Calvin or Swedenborg say?"—*Essays*, p. 243.

And again in his latest publication :

"The gods of fable are the shining moments of great men. We run all our vessels into one mould. Our colossal theologies of Judaism, Christism, Buddhism, Mahometism, are the necessary and structural action of the human mind."

"Man is that noble endogenous plant which grows, like the palm, from within, outward. . . . I count him a great man who inhabits a higher sphere of thought, into which other men rise with labor and difficulty ; he has but to open his eyes to see things in a true light, and in large relations ; whilst they must make painful corrections, and keep a vigilant eye on many sources of error."

"The genius of humanity is the right point of view of history. . . . For a time our teachers serve us personally, as metres or milestones of progress. Once they were angels of knowledge, and their figures touched the sky. Then we drew near, saw their means, culture, and limits ; and they yielded their place to other geniuses. Happy, if a few names remain so high, that we have not been able to read them nearer, and age and comparison have not robbed them of a ray. But, at last, we shall cease to look in men for completeness, and shall content ourselves with their social and delegated quality."

"Yet, within the limits of human education and agency, we may say, great men exist that there may be greater men. The destiny of organized nature is amelioration, and who can tell its limits ? It is for man to tame the chaos ; on every side, whilst he lives, to scatter the seeds of science and of song, that climate, corn, animals, men, may be milder, and the germs of love and benefit may be multiplied."

"The world is young ; the former great men call to us affectionately. We too must write Bibles, to unite again the heavens and the earthly world. The secret of genius is to suffer no fiction to exist for us ; to realize all that we know ; in the high refinement of modern life, in arts, in sciences, in books, in men, to exact good faith, reality, and a purpose ; and first, last, midst, and without end, to honor every truth by use."—*Representative Men*, pp. 10 — 11, 12, 38, 39 — 40, 284 — 285.

In this Emerson is more American than America herself — and is himself the highest exponent in literature of this Idea of human freedom and the value of man. Channing talks of the dignity of human nature, his great and brilliant theme ; but he commonly, perhaps always subordinates the nature of man to some of the accidents of his history. This Emerson never does ; no, not once in all his works, nor in all his life. Still we think it is not the whole of man from which he starts, —

that he undervalues the logical, demonstrative and historical Understanding, with the results thereof, and also undervalues the Affections. Hence his Man, who is the measure of all things, is not the complete man. This defect appears in his ethics, which are a little cold, the ethics of marble men; and in his religious teachings, the highest which this age has furnished, full of reverence, full of faith, but not proportionably rich in affection.

Mr. Emerson has a method of his own as plainly marked as that of Lord Bacon or Descartes, and as rigidly adhered to. It is not the inductive method by which you arrive at a general fact from many particular facts, but never reach a universal law; it is not the deductive method, whereby a minor law is derived from a major, a special from a general law; it is neither inductive nor deductive demonstration. But Emerson proceeds by the way of intuition, sensational or spiritual. Go to the fact and look for yourself, is his command: a material fact you cannot always verify, and so for that must depend on evidence; a spiritual fact you can always legitimate for yourself. Thus he says:

"That which seems faintly possible — it is so refined, is often faint and dim because it is deepest seated in the mind among the eternal verities. Empirical science is apt to cloud the sight, and, by the very knowledge of functions and processes, to bereave the student of the manly contemplation of the whole. The savant becomes unpoetic. But the best read naturalist who lends an entire and devout attention to truth, will see that there remains much to learn of his relation to the world, and that it is not to be learned by any addition or subtraction or other comparison of known quantities, but is arrived at by untaught sallies of the spirit, by a continual self-recovery, and by entire humility. He will perceive that there are far more excellent qualities in the student than preciseness and infallibility; that a guess is often more fruitful than an indisputable affirmation, and that a dream may let us deeper into the secret of nature than a hundred concerted experiments."

"Every surmise and vaticination of the mind is entitled to a certain respect, and we learn to prefer imperfect theories, and sentences, which contain glimpses of truth, to digested systems which have no one valuable suggestion. A wise writer will feel that the ends of study and composition are best answered by announcing undiscovered regions of thought, and so communicating, through hope, new activity to the torpid spirit."—*Nature*, pp. 82 — 83, 86 — 87.

And again:

"Jesus astonishes and overpowers sensual people. They cannot unite him to history or reconcile him with themselves. As they come to revere their intuitions and aspire to live holly, their own piety explains every fact, every word."

"The inquiry leads us to that source, at once the essence of genius, the essence of virtue, and the essence of life, which we call Spontaneity or Instinct. We denote this primary wisdom as Intuition, whilst all later teachings are tuitions. In that deep force, the last fact behind which analysis cannot go, all things find their common origin. For the sense of being which in calm hours rises, we know not how, in the soul, is not diverse from things, from space, from light, from time, from man, but one with them, and proceedeth obviously from the same source whence their life and being also proceedeth. We first share the life by which things exist, and afterwards see them as appearances in nature, and forget that we have shared their cause. Here is the fountain of action and the fountain of thought. Here are the lungs of that inspiration which giveth man wisdom, of that inspiration of man which cannot be denied without impiety and atheism. We lie in the lap of immense intelligence, which makes us organs of its activity and receivers of its truth. When we discern justice, when we discern truth, we do nothing of ourselves, but allow a passage to its beams. If we ask whence this comes, if we seek to pry into the soul that causes, — all metaphysics, all philosophy is at fault. Its presence or its absence is all we can affirm. . . . Perception is not whimsical, but fatal. If I see a trait, my children will see it after me, and in course of time, all mankind, — although it may chance that no one has seen it before me. For my perception of it is as much a fact as the sun."

"The relations of the soul to the divine spirit are so pure that it is profane to seek to interpose helps. It must be that when God speaketh, he should communicate not one thing, but all things; should fill the world with his voice, should scatter forth light, nature, time, souls, from the centre of the present thought; and new date and new create the whole. Whenever a mind is simple, and receives a divine wisdom, then old things pass away, — means, teachers, texts, temples fall; it lives now and absorbs past and future into the present hour."

"The soul is the perceiver and revealer of truth. We know truth when we see it, let skeptic and scoffer say what they choose. Foolish people ask you, when you have spoken what they do not wish to hear, 'how do you know it is truth, and not an error of your own?' We know truth when we see it, from opinion, as we know when we are awake that we are awake."

"The great distinction between teachers sacred or literary; between poets like Herbert, and poets like Pope; between philosophers like Spinoza, Kant, and Coleridge, — and philosophers like



Locke, Paley, Mackintosh, and Stewart; between men of the world who are reckoned accomplished talkers, and here and there a fervent mystic, prophesying half-insane under the infinitude of his thought, is, that one class speak *from within*, or from experience, as parties and possessors of the fact; and the other class, *from without*, as spectators merely, or perhaps as acquainted with the fact, on the evidence of third persons. It is of no use to preach to me from without. I can do that too easily myself."

"The soul gives itself alone, original, and pure, to the Lonely, Original and Pure, who, on that condition, gladly inhabits, leads, and speaks through it. Then is it glad, young, and nimble. It is not wise, but it sees through all things. It is not called religious, but it is innocent. It calls the light its own, and feels that the grass grows, and the stone falls by a law inferior to, and dependent on its nature. Behold, it saith, I am born into the great, the universal mind. I the imperfect, adore my own Perfect. I am somehow receptive of the great soul, and thereby I do overlook the sun and the stars, and feel them to be but the fair accidents and effects which change and pass. More and more the surges of everlasting nature enter into me, and I become public and human in my regards and actions. So come I to live in thoughts, and act with energies which are immortal."—*Essays*, pp. 23, 52—53, 53—54, 231, 237, 244—245.

"All your learning of all literatures would never enable you to anticipate one of its thoughts or expressions, and yet each is natural and familiar as household words."—*Nature and Addresses*, p. 209.

The same method in his last work is ascribed to Plato:

"Add to this, he believes that poetry, prophecy, and the high insight, are from a wisdom of which man is not master; that the gods never philosophize; but, by a celestial mania, these miracles are accomplished."—*Representative Men*, p. 61.

Sometimes he exaggerates the value of this, and puts the unconscious before the self-conscious state:

"It is pitiful to be an artist, when, by forbearing to be artists, we might be vessels filled with the divine overflowings, enriched by the circulations of omniscience and omnipresence. Are there not moments in the history of heaven when the human race was not counted by individuals, but was only the Influenced, was God in distribution, God rushing into multiform benefit? It is sublime to receive, sublime to love, but this lust of imparting as from us, this desire to be loved, the wish to be recognized as individuals,—is finite, comes of a lower strain."—*Nature and Addresses*, pp. 201—202.

He is sometimes extravagant in the claims made for his own method, and maintains that ecstasy is the natural and exclusive mode of arriving at new truths, while it is only one mode. Ecstasy is the state of intuition in which the man loses his individual self-consciousness. Moments of this character are few and rare even with men like the St. Victor, like Tauler, and Böhme and Swedenborg. The writings of all these men, especially of the two last, who most completely surrendered themselves to this mode of action, show how poor and insufficient it is. All that mankind has learned in this way is little, compared with the results of reflection, of meditation, and careful, conscientious looking after truth: all the great benefactors of the world have been patient and continuous in their work;

*"Not from a vain and shallow thought  
His awful Jove young Phidias brought."*

Mr. Emerson says books are only for one's idle hours; he discourages hard and continuous thought, conscious modes of argument, of discipline. Here he exaggerates his idiosyncrasy into a universal law. The method of nature is not ecstasy but patient attention. Human nature avenges herself for the slight he puts on her, by the irregular and rambling character of his own productions. The vice appears more glaring in the Emersonidæ, who have all the agony without the inspiration; who affect the unconscious; write even more ridiculous nonsense than their "genius" requires; are sometimes so child-like as to become mere babies, and seem to forget that the unconscious state is oftener below the conscious than above it, and that there is an ecstasy of folly as well as of good sense.

Some of these imbeciles have been led astray by this extravagant and one sided statement. What if books have hurt Mr. Oldbuck, and many fine wits lie "sheathed to the hilt in ponderous tomes," sheathed and rusted in so that no Orson could draw the blade,—we need not deny the real value of books, still less the value of the serious and patient study of thoughts and things. Michael Angelo and Newton had some genius; Socrates is thought not destitute of philosophical power; but no dauber of canvas, no sportsman with marble ever worked like Angelo; the two philosophers wrought by their genius, but with an attention, an order, a diligence, and a terrible industry and method of thought, without which their genius would have ended in nothing but guesswork.

↓ Much comes by spontaneous intuition, which is to be got in no other way ; but much is to precede that, and much to follow it. There are two things to be considered in the matter of inspiration, one is the Infinite God from whom it comes, the other the finite capacity which is to receive it. If Newton had never studied, it would be as easy for God to reveal the calculus to his dog Diamond as to Newton. We once heard of a man who thought every thing was in the soul, and so gave up all reading, all continuous thought. Said another, "if all is in the soul, it takes a man to find it."

Here are some of the most important conclusions Mr. Emerson has hitherto arrived at.

Man is above nature, the material world. Last winter, in his lectures, he was understood to affirm "the identity of man with nature ;" a doctrine which seems to have come from his Oriental reading before named, a doctrine false as well as inconsistent with the first principles of his philosophy. But in his printed works he sees clearly the distinction between the two, a fact not seen by the Hindoo philosophers, but first by the Hebrew and Greek writers. Emerson puts man far before nature :

"We are taught by great actions that the universe is the property of every individual in it. Every rational creature has all nature for his dowry and estate. It is his if he will. He may divest himself of it ; he may creep into a corner, and abdicate his kingdom, as most men do, but he is entitled to the world by his constitution. In proportion to the energy of his thought and will, he takes up the world into himself."

"Thus in art, does nature work through the will of a man filled with the beauty of her first works."

"Nature is thoroughly mediate. It is made to serve. It receives the dominion of man as meekly as the ass on which the Saviour rode. It offers all its kingdoms to man as the raw material which he may mould into what is useful."—*Nature*, pp. 25, 30, 50 — 51.

Nature is "an appendix to the soul."

Then the man is superior to the accidents of his past history or present condition :

"No man ever prayed heartily, without learning something."—*Nature*, p. 92.

"The highest merit we ascribe to Moses, Plato, and Milton, is that they set at naught books and traditions, and spoke not what men but what they thought. A man should learn to detect and

watch that gleam of light which flashes across his mind from within, more than the lustre of the firmament of bards and sages."

"Kingdom and lordship, power and estate are a gaudier vocabulary than private John and Edward in a small house and common day's work; but the things of life are the same to both; the sum total of both is the same. Why all this deference to Alfred, and Scanderbeg, and Gustavus? Suppose they were virtuous; did they wear out virtue? As great a stake depends on your private act to-day, as followed their public and renowned steps. When private men shall act with vast views, the lustre will be transferred from the actions of kings to those of gentlemen."—*Essays*, pp. 37, 38, 51 — 52.

Hence a man must be true to his present conviction, careless of consistency:

"A foolish consistency is the hobgoblin of little minds, adored by little statesmen and philosophers and divines. With consistency a great soul has simply nothing to do. He may as well concern himself with his shadow on the wall. Out upon your guarded lips! Sew them up with packthread, do. Else, if you would be a man, speak what you think to-day in words as hard as cannon balls, and to-morrow speak what to-morrow thinks in hard words again, though it contradict every thing you said to-day."—*Essays*, p. 47.

The man must not be a slave to a single form of thought:

"How wearisome the grammarian, the phrenologist, the political or religious fanatic, or indeed any possessed mortal, whose balance is lost by the exaggeration of a single topic. It is incipient insanity."—*Essays*, p. 280.

Man is inferior to the great law of God, which overrides the world; "His wealth and greatness consist in his being the channel through which heaven flows to earth;" "the word of a poet is only the mouth of divine wisdom;" "the man on whom the soul descends — alone can teach;" all nature "from the sponge up to Hercules is to hint or to thunder, man the laws of right and wrong." This ethical character seems the end of nature: "the moral law lies at the centre of nature and radiates to the circumference. It is the pith and marrow of every substance, every relation, every process. All things with which we deal point to us. What is a farm but a mute Gospel?" Yet he sometimes tells us that man is identical with God under certain circumstances, an old Hindoo notion, a little favored by some passages in the New Testament, and revived

by Hegel in modern times, in whom it seems less inconsistent than in Emerson.

This moral law continually gives men their compensation. "You cannot do wrong without suffering wrong."

"And this law of laws which the pulpit, the senate and the college deny, is hourly preached in all markets and all languages, by flights of proverbs, whose teaching is as true and as omnipresent as that of birds and flies.

All things are double, one against another. — Tit for tat ; an eye for an eye ; a tooth for a tooth ; blood for blood ; measure for measure ; love for love. — Give and it shall be given you. — He that watereth shall be watered himself. — What will you have ? quoth God ; pay for it and take it. — Nothing venture, nothing have. — Thou shalt be paid exactly for what thou hast done, no more, no less. — Who doth not work shall not eat. — Harm watch, harm catch. — Curses always recoil on the head of him who imprecates them. — If you put a chain around the neck of a slave, the other end fastens itself around your own. — Bad counsel confounds the adviser. — The devil is an ass."

"There is no den in the wide world to hide a rogue. There is no such thing as concealment. Commit a crime, and the earth is made of glass. Commit a crime, and it seems as if a coat of snow fell on the ground, such as reveals in the woods the track of every partridge and fox and squirrel and mole. You cannot recall the spoken word, you cannot wipe out the foot-track, you cannot draw up the ladder, so as to leave no inlet or clew. Always some damning circumstance transpires. The laws and substances of nature, water, snow, wind, gravitation, become penalties to the thief."

"Neither can it be said, on the other hand, that the gain of rectitude must be bought by any loss. There is no penalty to virtue ; no penalty to wisdom ; they are proper additions of being. In a virtuous action, I properly *am* ; in a virtuous act, I add to the world ; I plant into deserts, conquered from Chaos and Nothing, and see the darkness receding on the limits of the horizon. There can be no excess to love ; none to knowledge ; none to beauty, when these attributes are considered in the purest sense. The soul refuses all limits. It affirms in man always an Optimism never a Pessimism."—*Essays*, pp. 90, 95 — 96, 100.

By virtue of obedience to this law great men are great, and only so :

"We do not yet see that virtue is Height, and that a man or a company of men plastic and permeable to principles, by the law of nature must overpower and ride all cities, nations, kings, rich men, poets, who are not."

"A true man belongs to no other time or place, but is the centre of things. Where he is, there is a nature. He measures you, and all men, and all events. You are constrained to accept his standard. Ordinarily every body in society reminds us of somewhat else or some other person. Character, reality, reminds you of nothing else. It takes place of the whole creation. The man must be so much that he must make all circumstances indifferent, — put all means into the shade. This all great men are and do. Every true man is a cause, a country, and an age; requires infinite spaces and numbers and time fully to accomplish his thought; — and posterity seem to follow his steps as a procession."—*Essays*, pp. 57, 50.

Through this any man has the power of all men :

"Do that which is assigned thee, and thou canst not hope too much or dare too much. There is at this moment, there is for me an utterance bare and grand as that of the colossal chisel of Phidias, or the trowel of the Egyptians, or the pen of Moses, or Dante, but different from all these. Not possibly will the soul, all rich, all eloquent, with thousand-cloven tongue, deign to repeat itself; but if I can hear what these patriarchs say, surely I can reply to them in the same pitch of voice; for the ear and the tongue are two organs of one nature. Dwell up there in the simple and noble regions of thy life, obey thy heart, and thou shalt reproduce the Foreworld again."

"The great poet makes us feel our own wealth, and then we think less of his compositions. His greatest communication to our mind, is, to teach us to despise all he has done. Shakspeare carries us to such a lofty strain of intelligent activity, as to suggest a wealth which beggars his own; and we then feel that the splendid works which he has created, and which in other hours we extol as a sort of self-existent poetry, take no stronger hold of real nature than the shadow of a passing traveller on the rock." *Essays*, pp. 68 — 69, 239.

Yet he once says there is no progress of mankind; "Society never advances."

"The civilized man has built a coach, but has lost the use of his feet. He is supported on crutches, but loses so much support of muscle. He has got a fine Geneva watch, but he has lost the skill to tell the hour by the sun. A Greenwich nautical almanac he has, and so being sure of the information when he wants it, the man in the street does not know a star in the sky. The solstice he does not observe; the equinox he knows as little; and the whole bright calendar of the year is without a dial in his mind. His note-books impair his memory; his libraries overload his wit; the insurance office increases the number of accidents; and it may be

a question whether machinery does not encumber; whether we have not lost by refinement some energy, by a christianity entrenched in establishments and forms, some vigor of wild virtue. For every stoic was a stoic; but in Christendom where is the Christian?"—*Essays*, pp. 69 — 70.

But this is an exaggeration, which he elsewhere corrects, and justly says that the great men of the nineteenth century will one day be quoted to prove the barbarism of their age.

He teaches an absolute trust in God:

"Ineffable is the union of man and God in every act of the soul. The simplest person, who in his integrity worships God, becomes God; yet forever and ever the influx of this better and universal self is new and unsearchable. Ever it inspires awe and astonishment. . . . When we have broken our god of tradition, and ceased from our god of rhetoric, then may God fire the heart with His presence. It is the doubling of the heart itself, nay, the infinite enlargement of the heart with a power of growth to a new infinity on every side. It inspires in man an infallible trust. He has not the conviction, but the sight that the best is the true, and may in that thought easily dismiss all particular uncertainties and fears, and adjourn to the sure revelation of time, the solution of his private riddles. He is sure that his welfare is dear to the heart of being. In the presence of law to his mind, he is overflowed with a reliance so universal, that it sweeps away all cherished hopes and the most stable projects of mortal condition in its flood. He believes that he cannot escape from his good."—*Essays*, pp. 241 — 242.

"In how many churches, by how many prophets, tell me, is man made sensible that he is an infinite Soul; that the earth and heavens are passing into his mind; that he is drinking forever the soul of God? Where now sounds the persuasion, that by its very melody imparadises my heart, and so affirms its own origin in heaven? Where shall I hear words such as in elder ages drew men to leave all and follow — father and mother, house and land, wife and child? Where shall I hear these august laws of moral being so pronounced, as to fill my ear, and I feel ennobled by the offer of my uttermost action and passion? The test of the true faith, certainly, should be its power to charm and command the soul, as the laws of nature control the activity of the hands, — so commanding that we find pleasure and honor in obeying. The faith should blend with the light of rising and of setting suns, with the flying cloud, the singing bird, and the breath of flowers. But now the priest's Sabbath has lost the splendor of nature; it is unlovely; we are glad when it is done; we can

make, we do make, even sitting in our pews, a far better, holier, sweeter, for ourselves." — *Nature*, &c., pp. 132 — 133.

God continually communicates Himself to man in various forms :

" We distinguish the announcements of the soul, its manifestations of its own nature, by the term *Revelation*. These are always attended by the emotion of the sublime. For this communication is an influx of the Divine mind into our mind. It is an ebb of the individual rivulet before the flowing surges of the sea of life. Every distinct apprehension of this central commandment agitates men with awe and delight. A thrill passes through all men at the reception of new truth, or at the performance of a great action, which comes out of the heart of nature. In these communications, the power to see, is not separated from the will to do, but the insight proceeds from obedience, and the obedience proceeds from a joyful perception. Every moment when the individual feels himself invaded by it, is memorable." — *Essays*, pp. 232 — 233.

" The nature of these revelations is always the same : they are perceptions of the absolute law."

" This energy does not descend into individual life, on any other condition than entire possession. It comes to the lowly and simple ; it comes to whomsoever will put off what is foreign and proud ; it comes as insight ; it comes as serenity and grandeur. When we see those whom it inhabits, we are apprised of new degrees of greatness. From that inspiration the man comes back with a changed tone. He does not talk with men, with an eye to their opinion. He tries them. It requires of us to be plain and true. . . . The soul that ascendeth to worship the great God, is plain and true ; has no rose color ; no fine friends ; no chivalry ; no adventures ; does not want admiration ; dwells in the hour that now is, in the earnest experience of the common day, — by reason of the present moment, and the mere trifle having become porous to thought, and bibulous of the sea of light."

" How dear, how soothing to man, arises the idea of God, peopling the lonely place, effacing the scars of our mistakes and disappointments !" — *Essays*, pp. 239, 240, 241 — 242.

He says the same thing in yet more rythmic notes :

" Not from a vain or shallow thought  
His awful Jove young Phidias brought ;  
Never from lips of cunning fell  
The thrilling Delphic oracle ;



Out from the heart of nature rolled  
 The burdens of the Bible old;  
 The litanies of nations came,  
 Like the volcano's tongue of flame,  
 Up from the burning core below,—  
 The canticles of love and woe;  
 The hand that rounded Peter's dome,  
 And groined the aisles of Christian Rome,  
 Wrought in a sad sincerity;  
 Himself from God he could not free;  
 He builded better than he knew;—  
 The conscious stone to beauty grew.

"The passive Master lent his hand  
 To the vast soul that o'er him planned;  
 And the same power that reared the shrine,  
 Bestrode the tribes that knelt within.  
 Ever the fiery Pentecost  
 Girds with one flame the countless host,  
 Trances the heart through chanting choirs,  
 And through the priest the mind inspirea."

*Poems*, pp. 17 — 18, 19.

If we put Emerson's conclusions into five great classes representing respectively his idea of Man, of God, and of Nature; his idea of self-rule, the relation of man's consciousness to his unconsciousness; his idea of religion, the relation of men to God; of ethics, the relation of man to man; and of economy, the relation of man to nature; we find him in the very first rank of modern science. No man in this age is before him. He demonstrates nothing, but assumes his position far in advance of mankind. This explains the treatment he has met with.

Then in his writings there appears a love of beauty in all its forms—in material nature, in art, literature, and above all, in human life. He finds it everywhere:

"The frailest leaf, the mossy bark,  
 The acorn's cup, the raindrop's arc,  
 The swinging spider's silver line,  
 The ruby of the drop of wine,  
 The shining pebble of the pond,  
 Thou inscribest with a bond,  
 In thy momentary play,  
 Would bankrupt nature to repay.

"Of, in streets or humblest places,  
I detect far-wandered graces,  
Which, from Eden wide astray,  
In lowly homes have lost their way."

*Poems*, pp. 187, 139.

Few men have had a keener sense for this in common life, or so nice an eye for it in inanimate nature. His writings do not disclose a very clear perception of the beauty of animated nature; it is still life that he describes, in water, plants, and the sky. He seldom refers to the great cosmic forces of the world, that are everywhere balanced into such systematic proportions, the perception of which makes the writings of Alexander Von Humboldt so attractive and delightful.

In all Emerson's works there appears a sublime confidence in man; a respect for human nature which we have never seen surpassed—never equalled. Man is only to be true to his nature, to plant himself on his instincts, and all will turn out well:

"Build, therefore, your own world. As fast as you conform your life to the pure idea in your mind, that will unfold its great proportions. A correspondent revolution in things will attend the influx of the spirit. So fast will disagreeable appearances, swine, spiders, snakes, pests, mad-houses, prisons, enemies, vanish; they are temporary and shall be no more seen. The sordid and filthy of nature, the sun shall dry up, and the wind exhale. As when the summer comes from the south, the snow-banks melt, and the face of the earth becomes green before it, so shall the advancing spirit create its ornaments along its path, and carry with it the beauty it visits, and the song which enchants it; it shall draw beautiful faces, and warm hearts, and wise discourse, and heroic acts around its way, until evil is no more seen. The kingdom of man over nature, which cometh not with observation,—a dominion such as now is beyond his dream of God,—he shall enter without more wonder than the blind man feels who is gradually restored to perfect sight." — *Nature*, pp. 94—95.

"Foolish hands may mix and mar,  
Wise and sure the issues are."

He has also an absolute confidence in God. He has been foolishly accused of pantheism which sinks God in nature; but no man is further from it. He never sinks God in man, he does not stop with the law, in matter or morals, but goes back to the Lawgiver; yet probably it would not be so easy for him to give his definition of God as it would be for most grad-

uates at Andover or Cambridge. With this confidence in God he looks things fairly in the face, and never dodges, never fears. Toil, sorrow, pain, these are things which it is impious to fear. Boldly he faces every fact, never retreating behind an institution or a great man. In God his trust is complete ; with the severest scrutiny he joins the highest reverence.

Hence come his calmness and serenity. He is evenly balanced and at repose. A more tranquil spirit cannot be found in literature. Nothing seems to fret or jar him, and all the tossings of the literary world never jostle him into anger or impatience. He goes on like the stars above the noise and dust of earth, as calm yet not so cold. No man says things more terribly severe than he on many occasions ; few in America have encountered such abuse, but in all his writings there is not a line which can be referred to ill-will. Impudence and terror are wasted on him ; "upstart wealth's averted eye," which blasts the hope of the politician, is powerless on him as on the piles of granite in New Hampshire hills. Misconceived and misreported, he does not wait to "unravel any man's blunders ; he is again on his road, adding new powers and honors to his domain, and new claims on the heart." He takes no notice of the criticism from which nothing but warning is to be had, warning against bigotry and impudence, and goes on his way, his only answer a creative act. Many shafts has he shot, not an arrow in self-defence ; not a line betrays that he has been treated ill. This is small praise but rare ; even cool egotistic Goethe treated his "Philistine" critics with haughty scorn, comparing them to dogs who bark in the court-yard when the master mounts to ride :

"Es will der Spitz aus unserm Stall  
Mit Bellen uns begleiten ;  
Allein der Hundes lauter Schall  
Beweist nur dass wir reiten."

He lacks the power of orderly arrangement to a remarkable degree. Not only is there no obvious logical order, but there is no subtle psychological method by which the several parts of an essay are joined together ; his deep sayings are jewels strung wholly at random. This often confuses the reader ; this want appears the greatest defect of his mind. Of late years there has been a marked effort to correct it, and in regard to mere order there is certainly a great improvement in the first series of *Essays on Nature*, or rather formless book.

Then he is not creative like Shakspeare and Goethe, perhaps not inventive like many far inferior men; he seldom or never undertakes to prove any thing. He tells what he sees, seeing things by glimpses, not by steady and continuous looking, he often fails of seeing the whole object; he does not always see all of its relations with other things. Hence comes an occasional exaggeration. But this is commonly corrected by some subsequent statement. Thus he has seen books imprison many a youth, and speaking to men, desirous of warning them of their danger, he undervalues the worth of books themselves. But the use he makes of them in his own writings shows that this statement was an exaggeration which his practical judgment disproves. Speaking to men whose chief danger was that they should be bookworms, or mechanical grinders at a logic-mill, he says that ecstasy is the method of Nature, but himself never utters anything "poor and extemporaneous;" what he gets in his ecstatic moments of inspiration, he examines carefully in his cool, reflective hours, and it is printed as reflection, never as the simple result of ecstatic inspiration, having not only the stamp of Divine truth, but the private mark of Emerson. He is never demonized by his enthusiasm; he possesses the spirit, it never possesses him; if "the God" comes into his rapt soul "without bell," it is only with due consideration that he communicates to the world the message that was brought. Still he must regret that his extravagant estimate of ecstasy, intuitive unconsciousness, has been made and has led some youths and maids astray.

This mode of looking at things, and this want of logical order make him appear inconsistent. There are actual and obvious contradictions in his works. "Two sons of Priam in one chariot ride." Now he is all generosity and nobleness, shining like the sun on things mean and low, and then he says, with a good deal of truth but some exaggeration:

"Do not tell me of my obligation to put all poor men in good situations. Are they *my* poor? I tell thee, thou foolish philanthropist, that I grudge the dollar, the dime, the cent I give to such men as do not belong to me and to whom I do not belong. There is a class of persons to whom by all spiritual affinity I am bought and sold; for them I will go to prison, if need be; but your miscellaneous popular charities; the education at college of fools; the building of meeting-houses to the vain end to which many now stand; alms to sots; and the thousandfold Relief Societies;—though I confess with shame I sometimes succumb and give the

dollar, it is a wicked dollar which by-and-by I shall have the manhood to withhold."— *Essays*, p. 43.

Thus a certain twofoldness appears in his writings here and there, but take them all together they form a whole of marvellous consistency; take them in connection with his private character and life—we may challenge the world to furnish an example of a fairer and more consistent whole.

With the exceptions above stated, there is a remarkable balance of intellectual faculties, of creative and conservative, of the spontaneous and intuitive, and the voluntary and reflective powers. He is a slave to neither; all are balanced into lovely proportions and intellectual harmony. In many things Goethe is superior to Emerson: in fertility of invention, in a wide acquaintance with men, in that intuitive perception of character which seems an instinct in some men, in regular discipline of the understanding, in literary and artistic culture; but in general harmony of the intellectual powers, and the steadiness of purpose which comes thereof, Emerson is incontestibly the superior even of the many-sided Goethe. He never wastes his time on trifles; he is too heavily freighted, and lies so deep in the sea that a little flaw of wind never drives him from his course. If we go a little further and inquire how the other qualities are blended with the intellectual, we find that the moral power a little outweighs the intellectual, and the religious is a little before the moral, as it should be, but the affections seem to be less developed than the intellect. There is no total balance of all the faculties to correspond with the harmony of his intellectual powers. This seems to us the greatest defect in his entire being, as lack of logical power is the chief defect in his intellect; there is love enough for almost any man—not enough to balance his intellect, his conscience, and his faith in God. Hence there appears a certain coldness in his ethics. He is a man running alone, and would lead others to isolation, not society. Notwithstanding his own intense individuality and his theoretic and practical respect for individuality, still persons seem of small value to him—of little value except as they represent or help develop an idea of the intellect. In this respect, in his writings he is one-sided, and while no one mental power has subdued another, yet his intellect and conscience seem to enslave and belittle the affections. Yet he never goes so far in this as Goethe, who used men, and women too, as cattle to ride, as food to eat. In Emerson's

religious writings there appears a worship of the infinite God, far transcending all we find in Taylor or Edwards, in Fenslon or Channing; it is reverence, it is trust, the worship of the conscience, of the intellect; it is obedience, the worship of the will; it is not love, the worship of the affections.

No writer in our language is more rich in ideas, none more suggestive of noble thought and noble life. We will select the axioms which occur in a single essay, which we take at random, that on Self-reliance :

"It needs a divine man to exhibit anything divine."

"Nothing is at last sacred but the integrity of your own mind."

"The virtue most in request is conformity. Self-reliance is its aversion."

"No law can be sacred to me but that of my nature, the only wrong what is against it."

"Truth is handsomer than the affectation of love."

"Your goodness must have some edge to it."

"Do your work and you shall reinforce yourself."

"A foolish consistency is the hobgoblin of little minds."

"To be great is to be misunderstood."

"Character teaches above our wills."

"Greatness always appeals to the future."

"The centuries are conspirators against the sanity and majesty of the soul."

"If we live truly we shall see truly."

"It is as easy for the strong to be strong as it is for the weak to be weak."

"When a man lives with God, his voice shall be as sweet as the murmur of the brook and the rustle of the corn."

"Virtue is the governor."

"Welcome evermore to gods and men is the self-helping man."

"Duty is our place, and the merry men of circumstance should follow as they may."

"My giant goes with me wherever I go."

"It was in his own mind that the artist sought his model."

"That which each can do best none but his Maker can teach him."

"Every great man is an unique."

"Nothing can bring you peace but the triumph of principles."

His works abound also with the most genial wit; he clearly sees and sharply states the halfnesses of things and men, but his wit is never coarse, and wholly without that grain of malice so often the accompaniment thereof.

Let us now say a word of the artistic style and rhetorical form of these remarkable books. Mr. Emerson always gravitates towards first principles, but never sets them in a row, groups them into a system, or makes of them a whole. Hence the form of all his prose writings is very defective and much of his rare power is lost. He never fires by companies, nor even by platoons, only man by man; nay, his soldiers are never ranked into line, but stand scattered, sundered and individual, each serving on his own account, and "fighting on his own hook." Things are huddled and lumped together; diamonds, pearls, bits of chalk and cranberries, thrown pell-mell together. You can

"No joints and no contexture find,  
Nor their loose parts to any method bring."

Here is a specimen of the Lucretian "fortuitous concourse of atoms," for things are joined by a casual connection, or else by mere caprice. This is so in the Orations, which were designed to be heard, not read, where order is the more needful. His separate thoughts are each a growth. Now and then it is so with a sentence, seldom with a paragraph; but his essay is always a piece of composition, carpentry, and not growth.

Take any one of his volumes, the first series of *Essays*, for example, the book does not make an organic whole, by itself, and so produce a certain totality of impression. The separate essays are not arranged with reference to any progress in the reader's mind, or any consecutive development of the author's ideas. Here are the titles of the several papers in their present order:—History, Self-Reliance, Compensation, Spiritual Laws, Love, Friendship, Prudence, Heroism, The Over-Soul, Circles, Intellect, Art. In each essay there is the same want of organic completeness and orderly distribution of the parts. There is no logical arrangement of the separate thoughts, which are subordinate to the main idea of the piece. They are shot together into a curious and disorderly mass of beauty, like the colors in a kaleidoscope, not laid together like the gems in a collection; still less grown into a whole like the parts of a rose, where beauty of form, fragrance, and color make up one whole of loveliness. The lines he draws do not converge to one point; there is no progress in his drama. Towards the end the interest deepens, not from an artistic arrangement of accumulated thoughts, but only because the author finds his heart warmed by his efforts,

and beating quicker. Some artists produce their effect almost wholly by form and outline; they sculpture with their pencil; the *Parcæ* of Michael Angelo is an example; so some writers discipline their pupils by the severity of their intellectual method and scientific forms of thought. Other artists have we known produce the effect almost wholly by their coloring; the drawing was bad, but the color of lip and eye, of neck and cheek, and hair, was perfect; the likeness all men saw, and felt the impression. But the perfect artist will be true to both, will keep the forms of things, and only clothe them with appropriate hues. We know some say that order belongs not to poetic minds, but the saying is false. In all Milton's high poetic works, the form is perfect as the coloring: this appears in the grouping of the grand divisions of the *Paradise Lost*, and in the arrangement of the smallest details in *L'Allegro* and *Il Penseroso*, and then the appropriate hue of morning, of mid-day, or of night is thrown upon the whole.

His love of individuality has unconsciously deprived him of the grace of order; his orations or essays are like a natural field: here is common grass, only with him not half so common as wild roses and violets, for his common grasses are flowers—and then rocks, then trees, brambles, thorns, now flowers, now weeds, here a decaying log with raspberry bushes on the one side and strawberry vines on the other, and potentillas creeping among them all. There are emmets and wood-worms, earth-worms, slugs, grasshoppers and, more obvious, sheep and oxen, and above and about them, the brown thrasher, the hen-hawk and the crow—making a scene of beautiful and intricate confusion which belongs to nature, not to human art.

His marked love of individuality appears in his style. His thoughts are seldom vague, all is distinct; the outlines sharply drawn, things are always discrete from one another. He loves to particularize. He talks not of flowers, but of the violet, the clover, the cowslip and anemone; not of birds, but the nut-hatch, and the wren; not of insects, but of the *Volvex Globator*; not of men and maids, but of Adam, John, and Jane. Things are kept from things, each surrounded by its own atmosphere. This gives great distinctness and animation to his works, though latterly he seems to imitate himself a little in this respect. It is remarkable to what an extent this individualization is carried. The essays in his books are separate and stand apart from one another, only mechanically bound by the lids of the volume; his paragraphs in each essay are dis-



inct and disconnected, or but loosely bound to one another ; it is so with sentences in the paragraph, and propositions in the sentence. Take for example his essay on Experience ; it is distributed into seven parts, which treat respectively of Illusion, Temperament, Succession, Surface, Surprise, Reality and Subjectiveness. These seven brigadiers are put in one army with as little unity of action as any seven Mexican officers ; not subject to one head, nor fighting on the same side. The subordinates under these generals are in no better order and discipline ; sometimes the corporal commands the king. But this very lack of order gives variety of form. You can never anticipate him. One half the essay never suggests the rest. If he have no order, he never sets his method a going, and himself with his audience goes to sleep, trusting that he, they, and the logical conclusion will all come out alive and waking at the last. He trusts nothing to the discipline of his camp ; all to the fidelity of the individual soldiers.

His style is one of the rarest beauty ; there is no affectation, no conceit, no effort at effect. He alludes to everybody and imitates nobody. No writer that we remember, except Jean Paul Richter, is so rich in beautiful imagery ; there are no blank walls in his building. But Richter's temple of poesy is a Hindoo pagoda, rich, elaborate, of costly stone, adorned with costly work, but as a whole, rather grotesque than sublime, and more queer than beautiful ; you wonder how any one could have brought such wealth together, and still more that any one could combine things so oddly together. Emerson builds a rambling Gothic Church, with an irregular outline, a chapel here, and a tower there, you do not see why ; but all parts are beautiful and the whole constrains the soul to love and trust. His manifold images come from his own sight, not from the testimony of other men. His words are pictures of the things daguerreotyped from nature. Like Homer, Aristotle and Tacitus, he describes the thing, and not the effect of the thing. This quality he has in common with the great writers of classic antiquity, while his wealth of sentiment puts him with the classics of modern times. Like Burke he lays all literature under contribution, and presses the facts of every day life into his service. He seems to keep the sun and moon as his retainers and levy black-mail on the cricket and the tit-mouse, on the dawdling preacher and the snow storm which seemed to rebuke his unnatural whine. His works teem with beauty. Take for example this :

"What do we wish to know of any worthy person so much as how he has sped in the history of this sentiment? [Love.] What books in the circulating libraries circulate? How we glow over these novels of passion, when the story is told with any spark of truth and nature! And what fastens attention in the intercourse of life, like any passion betraying affection between two parties? Perhaps we never saw them before, and never shall meet them again. But we see them exchange a glance, or betray a deep emotion, and we are no longer strangers. We understand them, and take the warmest interest in the development of the romance. All mankind love a lover. The earliest demonstrations of complacency and kindness are nature's most winning pictures. It is the dawn of civility and grace in the coarse and rustic. The rude village boy teases the girls about the school-house door; — but to-day he comes running into the entry, and meets one fair child arranging her satchel: he holds her books to help her, and instantly it seems to him as if she removed herself from him infinitely, and was a sacred precinct. Among the throng of girls he runs rudely enough, but one alone distances him: and these two little neighbors that were so close just now, have learned to respect each other's personality. Or who can avert his eyes from the engaging, half-artful, half-artless ways of school girls who go into the country shops to buy a skein of silk or a sheet of paper, and talk half an hour about nothing, with the broad-faced, good-natured shop-boy. In the village, they are on a perfect equality, which love delights in, and without any coquetry the happy, affectionate nature of woman flows out in this pretty gossip. The girls may have little beauty, yet plainly do they establish between them and the good boy the most agreeable, confiding relations, what with their fun and their earnest, about Edgar, and Jonas, and Almira, and who was invited to the party, and who danced at the dancing school, and when the singing school would begin, and other nothings concerning which the parties cooed. By-and-by that boy wants a wife, and very truly and heartily will he know where to find a sincere and sweet mate, without any risk such as Milton deploras as incident to scholars and great men."

"The passion re-makes the world for the youth. It makes all things alive and significant. Nature grows conscious. Every bird on the boughs of the tree sings now to his heart and soul. Almost the notes are articulate. The clouds have faces as he looks on them. The trees of the forest, the waving grass and the peeping flowers have grown intelligent: and almost he fears to trust them with the secret which they seem to invite. Yet nature soothes and sympathizes. In the green solitude he finds a dearer home than with men."

"Behold there in the wood the fine madman! He is a palace of sweet sounds and sights; he dilates; he is twice a man; he

walks with arms akimbo ; he soliloquizes ; he accosts the grass and the trees ; he feels the blood of the violet, the clover and the lily in his veins : and he talks with the brook that wets his foot." — *Essays*, pp. 142 — 143, 145, 146.

Emerson is a great master of language ; therewith he sculpts, therewith he paints ; he thunders and lightens in his speech, and in his speech also he sings. In Greece, Plato and Aristophanes were mighty masters of the pen, and have not left their equals in ancient literary art ; so in Rome were Virgil and Tacitus ; four men so marked in individuality, so unlike and withal so skilful in the use of speech, it were not easy to find ; four mighty masters of the art to write. In later times there have been in England, Shakspeare, Bacon, Milton, Taylor, Swift and Carlyle ; on the Continent, Voltaire, Rousseau and Goethe ; all masters in this art, skilful to work in human speech. Each of them possessed some qualities which Emerson has not. In Bacon, Milton and Carlyle, there is a majesty, a dignity and giant strength, not to be claimed for him. Yet separating the beautiful from what men call sublime, no one of all that we have named, ancient or modern, has passages so beautiful as he. From what is called sublime if we separate what is simply vast, or merely grand, or only wide, it is in vain that we seek in all those men for anything to rival Emerson. ✓

Take the following passage, and it is not possible, we think, to find its equal for the beautiful and the sublime in any tongue :

"The lovers delight in endearments, in avowals of love, in comparisons of their regards. When alone, they solace themselves with the remembered image of the other. Does that other see the same star, the same melting cloud, read the same book, feel the same emotion that now delight me ? They try and weigh their affection, and adding up all costly advantages, friends, opportunities, properties, exult in discovering that willingly, joyfully, they would give all as a ransom for the beautiful, the beloved head, not one hair of which shall be harmed. But the lot of humanity is on these children. Danger, sorrow, and pain arrive to them as to all. Love prays. It makes covenants with Eternal Power, in behalf of this dear mate. The union which is thus effected, and which adds a new value to every atom in nature, for it transmutes every thread throughout the whole web of relation into a golden ray, and bathes the soul in a new and sweeter element, is yet a temporary state. Not always can flowers, pearls, poetry, protestations, nor even home in another heart, content the awful soul that dwells

in clay. It arouses itself at last from these endearments, as toys, and puts on the harness, and aspires to vast and universal aims. The soul which is in the soul of each, craving for a perfect beatitude, detects incongruities, defects, and disproportion in the behavior of the other. Hence arise surprise, expostulation, and pain. Yet that which drew them to each other was signs of loveliness, signs of virtue; and these virtues are there, however eclipsed. They appear and reappear, and continue to attract; but the regard changes, quits the sign, and attaches to the substance. This repairs the wounded affection. Meantime, as life wears on, it proves a game of permutation and combination of all possible positions of the parties, to extort all the resources of each, and acquaint each with the whole strength and weakness of the other. For, it is the nature and end of this relation, that they should represent the human race to each other. All that is in the world which is or ought to be known, is cunningly wrought into the texture of man, of woman.

"The person love does to us fit,  
Like manna, has the taste of all in it."

"The world rolls: the circumstances vary, every hour. All the angels that inhabit this temple of the body appear at the windows, and all the gnomes and vices also. By all the virtues, they are united. If there be virtue, all the vices are known as such; they confess and flee. Their once flaming regard is sobered by time in either breast, and losing in violence what it gains in extent, it becomes a thorough good understanding. They resign each other without complaint to the good offices which man and woman are severally appointed to discharge in time, and exchange the passion which once could not lose sight of its object, for a cheerful disengaged furtherance, whether present or absent, of each other's designs. At last they discover that all which at first drew them together,—those once sacred features, that magical play of charms, was deciduous, had a prospective end, like the scaffolding by which the house was built; and the purification of the intellect and the heart, from year to year, is the real marriage, foreseen and prepared from the first, and wholly above their consciousness. Looking at these aims with which two persons, a man and a woman, so variously and correlatively gifted, are shut up in one house to spend in the nuptial society forty or fifty years, I do not wonder at the emphasis with which the heart prophesies this crisis from early infancy, at the profuse beauty with which the instincts deck the nuptial bower, and nature and intellect and art emulate each other in the gifts and the melody they bring to the epithalamium.

"Thus are we put in training for a love which knows not sex, nor person, nor partiality, but which seeketh virtue and wisdom everywhere, to the end of increasing virtue and wisdom. We are

by nature observers, and thereby learners. That is our permanent state. But we are often made to feel that our affections are but tents of a night. Though slowly and with pain, the objects of the affections change, as the objects of thought do. There are moments when the affections rule and absorb the man, and make his happiness dependent on a person or persons. But in health the mind is presently seen again, its overarching vault, bright with galaxies of immutable lights, and the warm loves and fears that swept over us as clouds, must lose their finite character, and blend with God, to attain their own perfection. But we need not fear that we can lose any thing by the progress of the soul. The soul may be trusted to the end. That which is so beautiful and attractive as these relations, must be succeeded and supplanted only by what is more beautiful, and so on for ever."—*Essays*, pp. 152—155.

We can now only glance at the separate works named above. His Nature is more defective in form than any of his pieces, but rich in beauty; a rare prose poem is it, a book for one's bosom. The first series of *Essays* contains the fairest blossoms and fruits of his genius. Here his wondrous mind reveals itself in its purity, its simplicity, its strength, and its beauty too. The second series of *Essays* is inferior to the first; the style is perhaps clearer, but the water is not so deep. He seems to let himself down to the capacity of his hearers. Yet there is an attempt at order which is seldom successful, and reminds one of the order in which figures are tattooed upon the skin of a South Sea Islander, rather than of the organic symmetry of limbs or bones. He sets up a scaffold, not a living tree, a scaffold, too, on which none but himself can walk.

Some of his *Orations* and *Addresses* are noble efforts: old as the world is, and much and long as men are given to speak, it is but rare in human history that such *Sermons* on the Mount get spoken as the *Address* to the students of Theology, and that before the Phi Beta Kappa, at Cambridge. They are words of lofty cheer.

The last book on "*Representative Men*," does not come up to the first *Essays*, neither in matter nor in manner. Yet we know not a man, living and speaking English, that could have written one so good. The lecture on Plato contains exaggerations not usual with Emerson; it fails to describe the man by genus or species. He gives you neither the principles nor the method of Plato, not even his conclusions. Nay, he does not give you the specimens to judge by. The article in the last

classical dictionary, or the History of Philosophy for the French Normal schools gives you a better account of the philosopher and the man. The lecture on Swedenborg is a masterly appreciation of that great man, and, to our way of thinking, the best criticism that has yet appeared. He appreciates but does not exaggerate him. The same may be said of that upon Montaigne ; those on Shakspeare and Goethe are adequate and worthy of the theme. In the lecture on Napoleon, it is surprising that not a word is said of his greatest faculty, his legislative, organizing power, for we cannot but think with Carlyle, that he "will be better known for his laws than his battles." But the other talents of Napoleon are sketched with a faithful hand, and his faults justly dealt with, not enlarged but not hid—though, on the whole, it seems to us, no great admirers of Napoleon, that he is a little undervalued.

We must briefly notice M. Emerson's volume of Poems. He has himself given us the standard by which to try him, for he thus defines and describes the poet :

"The sign and credentials of the poet are, that he announces that which no man foretold. He is the true and only doctor ; he knows and tells ; he is the only teller of news, for he was present and privy to the appearance which he describes. He is a beholder of ideas, and an utterer of the necessary and causal. For we do not speak now of men of poetical talents, or of industry and skill in metre, but of the true poet. I took part in a conversation the other day, concerning a recent writer of lyrics, a man of subtle mind, whose head appeared to be a music box of delicate tunes and rhythms, and whose skill, and command of language we could not sufficiently praise. But when the question arose, whether he was not only a lyrist, but a poet, we were obliged to confess that he is plainly a contemporary, not an eternal man. He does not stand out of our low limitations, like a Chimborazo under the line, running up from the torrid base through all the climates of the globe, with belts of the herbage of every latitude on its high and mottled sides ; but this genius is the landscape-garden of a modern house, adorned with fountains and statues, with well-bred men and women standing and sitting in the walks and terraces. We hear through all the varied music the ground tone of conventional life. Our poets are men of talents who sing, and not the children of music. The argument is secondary, the finish of the verses is primary.

For it is not metres, but a metre-making argument, that makes a poem, — a thought so passionate and alive, that, like the spirit of a plant or an animal, it has an architecture of its own, and adorns nature with a new thing. The thought and the form are

equal in the order of time, but in the order of *genesis* the thought is prior to the form. The poet has a new thought: he has a whole new experience to unfold; he will tell us how it was with him, and all men will be the richer in his fortune. — *Essays*, 2d Series, pp. 9 — 11.

It is the office of the poet, he tells us, "by the beauty of things" to announce "a new and higher beauty. Nature offers all her creatures to him as a picture language." "The poorest experience is rich enough for all the purposes of expressing thought;" "the world being put under the mind for verb and noun, the poet is he who can articulate it;" he "turns the world to glass, and shows us all things in their right series and proportions." For through that better perception he stands one step nearer things, and sees the flowing or metamorphosis, perceives that thought is multiform; that within the form of every creature is a force impelling it to ascend into a higher form, and, following with his eyes the life, uses the forms which express that life, and so his speech flows with the flowing of nature." "The poet alone knows astronomy, chemistry, vegetation and animation, for he does not stop at these facts, but employs them as signs."

"This insight, which expresses itself by what is called Imagination, is a very high sort of seeing, which does not come by study, but by the intellect being where and what it sees, by sharing the path, or circuit of things through forms, and so making them translucent to others. The path of things is silent. Will they suffer a speaker to go with them? A spy they will not suffer; a lover, a poet, is the transcendency of their own nature, — him they will suffer. The condition of true naming, on the poet's part, is his resigning himself to the divine *aura* which breathes through forms, and accompanying that.

"It is a secret which every intellectual man quickly learns, that, beyond the energy of his possessed and conscious intellect, he is capable of a new energy (as of an intellect doubled on itself,) by abandonment to the nature of things; that, beside his privacy of power as an individual man, there is a great public power, on which he can draw, by unlocking, at all risks, his human doors, and suffering the ethereal tides to roll and circulate through him: then he is caught up into the life of the Universe, his speech is thunder, his thought is law, and his words are universally intelligible as the plants and animals. The poet knows that he speaks adequately, then, only when he speaks somewhat wildly, or, 'with the flower of the mind;' not with the intellect, used as an organ, but with the intellect released from all service,

and suffered to take its direction from its celestial life ; or, as the ancients were wont to express themselves, not with intellect alone, but with the intellect inebriated by nectar. As the traveller who has lost his way, throws his reins on his horse's neck, and trusts to the instinct of the animal to find his road, so we must do with the divine animal who carries us through this world. For if in any manner we can stimulate this instinct, new passages are opened for us into nature, the mind flows into and through things hardest and highest, and the metamorphosis is possible." — *Essays*, 2d Series, pp. 28-30.

In reading criticisms on Emerson's poetry, one is sometimes reminded of a passage in Pepy's Diary, where that worthy pronounces judgment on some of the works of Shakspeare. Perhaps it may be thought an appropriate introduction to some strictures of our own.

"Aug. 20, 1666. To Deptford by water, reading Othello, Moor of Venice, which I have heretofore esteemed a mighty good play, but having so lately read the Adventures of Five Hours, it seems a mean thing. Sept. 29th, 1662. To the King's Theatre, where we saw Midsummer Night's Dream, which I had never seen before, nor shall ever again, for it is the most insipid and ridiculous play, that ever I saw in my life."

Emerson is certainly one

"Quem tu, Melpomene, semel  
Nascentem placido lumine videris ;  
Spissæ memorum comæ  
Fingent Æolio carmine nobilem."

Yet his best poetry is in his prose, and his poorest, thinnest and least musical prose is in his poems. ✓

The "Ode to Beauty" contains some beautiful thoughts in a fair form :

"Who gave thee, O Beauty,  
The keys of this breast, —  
Too credulous lover  
Of blest and unblest ?  
Say, when in lapsed ages  
Thee knew I of old ?  
Or what was the service  
For which I was sold ?  
When first my eyes saw thee,  
I found me thy thrall,  
By magical drawings,  
Sweet tyrant of all !  
I drank at thy fountain



False waters of thirst ;  
 Thou intimate stranger,  
 Thou latest and first !  
 Thy dangerous glances  
 Make women of men ;  
 New-born, we are melting  
 Into nature again." — *Poems*, pp. 186 — 187.

The three pieces which seem the most perfect poems, both in matter and form, are the "Problem," from which we have already given liberal extracts above ; "Each in all," which, however, is certainly not a great poem, but simple, natural and beautiful ; and the "Sphinx," which has higher merits than the others, and is a poem of a good deal of beauty. The Sphinx is the creation of the old classic mythology. But her question is wholly modern, though she has been waiting so long for the seer to solve it, that she has become drowsy.

This is her problem :

"The fate of the man-child ;  
 The meaning of man."

All the material and animal world is at peace :

"Erect as a sunbeam,  
 Upspringeth the palm ;  
 The elephant browses,  
 Undaunted and calm ;  
 In beautiful motion  
 The thrush plies his wings ;  
 Kind leaves of his covert,  
 Your silence he sings.

"See, earth, air, sound, silence,  
 Plant, quadruped, bird,  
 By one music enchanted,  
 One deity stirred, —  
 Each the other adorning,  
 Accompany still ;  
 Night veileth the morning,  
 The vapor the hill."

In his early age man shares the peace of the world :

"The babe by its mother  
 Lies bathed in joy ;  
 Glide its hours uncounted, —  
 The sun is its toy ;

Shines the peace of all being,  
Without cloud, in its eyes;  
And the sum of the world  
In soft miniature lies."

But when the child becomes a man he is ill at ease :

"But man crouches and blushes,  
Abasconds and conceals;  
He creepeth and peepeth,  
He palter and steals;  
Infirm, melancholy,  
Jealous glancing around,  
An oaf, an accomplice,  
He poisons the ground."

Mother Nature complains of his condition :

"Who has drugged my boy's cup?  
Who has mixed my boy's bread?  
Who, with sadness and madness,  
Has turned the man-child's head?"

The Sphinx wishes to know the meaning of all this. A poet answers that this is no mystery to him; man is superior to nature, and its unconscious and involuntary happiness is not enough for him; superior to the events of his own history, so the joy which he has attained is always unsatisfactory :

"The fiend that man harries  
Is love of the Best;  
Yawns the pit of the Dragon,  
Lit by rays from the Blest.  
The Lethe of nature  
Can't trance him again,  
Whose soul sees the perfect,  
Which his eyes seek in vain.

"Profounder, profounder,  
Man's spirit must dive;  
To his aye-rolling orbit  
No goal will arrive;  
The heavens that now draw him  
With sweetness untold,  
Once found, — for new heavens  
He spurneth the old."

Even sad things turn out well :

"Pride ruined the angels,  
Their shame them restores;  
And the joy that is sweetest  
Lurks in stings of remorse."

Thus the riddle is solved ; then the Sphinx turns into beautiful things :

“Uprose the merry Sphinx,  
And crouched no more in stone ;  
She melted into purple cloud,  
She silvered in the moon ;  
She spired into a yellow flame ;  
She flowered in blossoms red ;  
She flowed into a foaming wave ;  
She stood Monadnoc’s head.”—*Poems*, pp.8-13.

We pass over the Threnody, where “well sung woes” might soothe a “pensive ghost.” The Dirge contains some stanzas that are full of nature and well expressed :

- “Knew he who tills this lonely field,  
To reap its scanty corn,  
What mystic fruit his acres yield  
At midnight and at morn ?
- “The winding Concord gleamed below,  
Pouring as wide a flood  
As when my brothers, long ago,  
Came with me to the wood.
- “But they are gone — the holy ones  
Who trod with me this lovely vale ;  
The strong, star-bright companions  
Are silent, low, and pale.
- “My good, my noble, in their prime,  
Who made this world the feast it was,  
Who learned with me the lore of time,  
Who loved this dwelling-place !
- “I touch this flower of silken leaf,  
Which once our childhood knew ;  
Its soft leaves wound me with a grief  
Whose balsam never grew.
- “Hearken to yon pine-warbler  
Singing aloft in the tree !  
Hearest thou, O traveller,  
What he singeth to me ?
- “Not unless God made sharp thine ear  
With sorrow such as mine,  
Out of that delicate lay could’st thou  
Its heavy tale divine.

" 'Go, lonely man,' it saith;  
 'They loved thee from their birth;  
 Their hands were pure, and pure their faith,—  
 There are no such hearts on earth.

" 'Ye cannot unlock your heart,  
 The key is gone with them;  
 The silent organ loudest chants  
 The master's requiem.' "—*Poems*, pp. 232 — 235.

Here is a little piece which has seldom been equalled in depth and beauty of thought; yet it has sometimes been complained of as obscure, we see not why :

### TO RHEA.

"THEE, dear friend, a brother soothes,  
 Not with flatteries, but truths,  
 Which tarnish not, but purify  
 To light which dims the morning's eye.  
 I have come from the spring-woods,  
 From the fragrant solitudes;—  
 Listen what the poplar-tree  
 And murmuring waters counselled me.

"If with love thy heart has burned;  
 If thy love is unreturned;  
 Hide thy grief within thy breast,  
 Though it tear thee unexpressed;  
 For when love has once departed  
 From the eyes of the false-hearted,  
 And one by one has torn off quite  
 The bandages of purple light;  
 Though thou wert the loveliest  
 Form the soul had ever dressed,  
 Thou shalt seem, in each reply,  
 A vixen to his altered eye;  
 Thy softest pleadings seem too bold,  
 Thy praying lute will seem to scold;  
 Though thou kept the straightest road,  
 Yet thou errest far and broad.

"But thou shalt do as do the gods  
 In their cloudless periods;  
 For of this lore be thou sure,—  
 Though thou forget, the gods, secure,  
 Forget never their command,

But make the statute of this land.  
 As they lead, so follow all,  
 Ever have done, ever shall.  
 Warning to the blind and deaf,  
 'Tis written on the iron leaf,  
*Who drinks of Cupid's nectar cup*  
*Loveth downward, and not up ;*  
 Therefore, who loves, of gods or men,  
 Shall not by the same be loved again ;  
 His sweetheart's idolatry  
 Falls, in turn, a new degree.  
 When a god is once beguiled  
 By beauty of a mortal child,  
 And by her radiant youth delighted,  
 He is not fooled, but warily knoweth  
 His love shall never be requited.  
 And thus the wise Immortal doeth. —  
 'Tis his study and delight  
 To bless that creature day and night ;  
 From all evils to defend her ;  
 In her lap to pour all splendor ;  
 To ransack earth for riches rare,  
 And fetch her stars to deck her hair ;  
 He mixes music with her thoughts,  
 And saddens her with heavenly doubts :  
 All grace, all good his great heart knows,  
 Profuse in love, the king bestows :  
 Saying, ' Hearken ! Earth, Sea, Air !  
 This monument of my despair  
 Build I to the All-Good, All-Fair.  
 Not for a private good,  
 But I, from my beatitude,  
 Albeit scorned as none was scorned,  
 Adorn her as was none adorned.  
 I make this maiden an ensample  
 To Nature, through her kingdoms ample,  
 Whereby to model newer races,  
 Statelier forms, and fairer faces ;  
 To carry man to new degrees  
 Of power, and of comeliness.  
 These presents be the hostages  
 Which I pawn for my release.  
 See to thyself, O Universe !  
 Thou art better, and not worse.' —  
 And the god, having given all,  
 Is freed forever from his thrall." — *Poems*, pp. 21

Several of the other pieces are poor ; some are stiff and rude, having no lofty thoughts to atone for their unlovely forms. Some have quaint names, which seem given to them out of mere caprice. Such are the following : Mithridates, Hamatreya, Hermione, Merlin, Merops, &c. These names are not more descriptive of the poems they are connected with, than are Jonathan and Eleazer of the men thus baptized. What have Astrea, Rhea and Etienne de la Boëce to do with the poems which bear their names ?

We should think the following lines, from *Hermione*, were written by some of the youngest Emersonidæ :

“ Once I dwelt apart,  
Now I live with all ;  
As shepherd's lamp on far hill-side  
Seems, by the traveller espied,  
A door into the mountain heart,  
So didst thou quarry and unlock  
Highways for me through the rock.

“ Now, deceived, thou wanderest  
In strange lands unblest ;  
And my kindred come to soothe me.  
Southwind is my next of blood ;  
He has come through fragrant wood,  
Drugged with spice from climates warm,  
And in every twinkling glade,  
And twilight nook,  
Unveils thy form.  
Out of the forest way  
Forth paced it yesterday ;  
And when I sat by the watercourse,  
Watching the daylight fade,  
It throbbed up from the brook.”—*Poems*, pp. 158

—154.

Such things are unworthy of such a master.

Here is a passage which we will not attempt to criticize. He is speaking of Love :

“ He will preach like a friar,  
And jump like a Harlequin ;  
He will read like a crier,  
And fight like a Paladin.” &c.

Good Homer sometimes nodded, they say ; but when he went fast asleep, he did not write lines or print them.

Here is another specimen. It is Monadnoc that speaks :

" Anchored fast for many an age,  
 I await the bard and sage,  
 Who, in large thoughts, like fair pearl-seed,  
 Shall string Monadnoc like a bead."

And yet another :

" For the present, hard  
 Is the fortune of the bard."  
 " In the woods he travels glad,  
 Without bitter fortune mad,  
 Melancholy without bad."

We have seen imitations of this sort of poetry, which even surpassed the original. It does not seem possible that Emerson can write such stuff simply from "lacking the accomplishment of verse." Is it that he has a false theory, and so wilfully writes innumerable verse, and plays his harp, all jangling and thus out of tune? Certainly it seems so. In his poems he uses the old mythology, and in bad taste; talks of Gods, and not God; of Pan, the Oreads, Titan, Jove and Mars, the Parcsæ and the Dæmon.

There are three elaborate poems which demand a word of notice. The "Woodnotes" contains some good thoughts, and some pleasing lines, but on the whole a Pine tree which should talk like Mr. Emerson's pine ought to be plucked up by the roots and cast into the depths of the sea. "Monadnoc" is the title of another piece which appears forced and unnatural, as well as poor and weak. The third is called "initial, dæmonic and celestial Love." It is not without good thoughts, and here and there a good line, but in every attribute of poetry it is far inferior to his majestic essay on Love. In his poetry Mr. Emerson often loses his command of language, metaphors fail him, and the magnificent images which adorn and beautify all his prose works, are gone.

From what has been said, notwithstanding the faults we have found in Emerson, it is plain that we assign him a very high rank in the literature of mankind. He is a very extraordinary man. To no English writer since Milton can we assign so high a place; even Milton himself, great genius though he was, and great architect of beauty, has not added so many thoughts to the treasury of the race; no, nor been the author of so much loveliness. Emerson is a man of genius such as does not often appear, such as has never appeared before in America, and but seldom in the world. He learns from all

sorts of men, but no English writer, we think, is so original. We sincerely lament the want of logic in his method, and his exaggeration of the intuitive powers, the unhappy consequences of which we see in some of his followers and admirers. They will be more faithful than he to the false principle which he lays down, and will think themselves wise because they do not study, learned because they are ignorant of books, and inspired because they say what outrages common sense. In Emerson's poetry there is often a ruggedness and want of finish which seems wilful in a man like him. This fault is very obvious in those pieces he has put before his several essays. Sometimes there is a seed-corn of thought in the piece, but the piece itself seems like a pile of rubbish shot out of a cart which hinders the seed from germinating. His admirers and imitators not unfrequently give us only the rubbish and probably justify themselves by the example of their master. Spite of these defects, Mr. Emerson, on the whole, speaks with a holy power which no other man possesses who now writes the English tongue. Others have more readers, are never sneered at by respectable men, are oftener praised in the Journals, have greater weight in the pulpits, the cabinets and the councils of the nation; but there is none whose words so sink into the mind and heart of young men and maids; none who work so powerfully to fashion the character of the coming age. Seeing the power which he exercises, and the influence he is likely to have on generations to come, we are jealous of any fault in his matter, or its form, and have allowed no private and foolish friendship to hinder us from speaking of his faults.

This is his source of strength: his intellectual and moral sincerity. He looks after Truth, Justice, and Beauty. He has not uttered a word that is false to his own mind or conscience; has not suppressed a word because he thought it too high for men's comprehension, and therefore dangerous to the repose of men. He never compromises. He sees the chasm between the ideas which come of man's nature and the institutions which represent only his history; he does not seek to cover up the chasm, which daily grows wider between Truth and Public Opinion, between Justice and the State, between Christianity and the Church; he does not seek to fill it up, but he asks men to step over and build institutions commensurate with their ideas. He trusts himself, trusts man, and trusts God. He has confidence in all the attributes of infinity. Hence he is serene; nothing disturbs the even poise of his



character, and he walks erect. Nothing impedes him in his search for the true, the lovely and the good ; no private hope, no private fear, no love of wife or child, of gold, or ease, or fame. He never seeks his own reputation ; he takes care of his Being, and leaves his seeming to take care of itself. Fame may seek him ; he never goes out of his way a single inch for her.

He has not written a line which is not conceived in the interest of mankind. He never writes in the interest of a section, of a party, of a church, of a man, always in the interest of mankind. Hence comes the ennobling influence of his works. Most of the literary men of America, most of the men of superior education, represent the ideas and interests of some party ; in all that concerns the welfare of the Human Race, they are proportionably behind the mass who have only the common culture ; so while the thought of the people is democratic, putting man before the accidents of a man, the literature of the nation is aristocratic, and opposed to the welfare of mankind. Emerson belongs to the exceptional literature of the times—and while his culture joins him to the history of man, his ideas and his whole life enable him to represent also the nature of man, and so to write for the future. He is one of the rare exceptions amongst our educated men, and helps redeem American literature from the reproach of imitation, conformity, meanness of aim, and hostility to the progress of mankind. No faithful man is too low for his approval and encouragement ; no faithless man too high and popular for his rebuke.

A good test of the comparative value of books, is the state they leave you in. Emerson leaves you tranquil, resolved on noble manhood, fearless of the consequences ; he gives men to mankind, and mankind to the laws of God. His position is a striking one. Eminently a child of Christianity and of the American idea, he is out of the Church and out of the State. In the midst of Calvinistic and Unitarian superstition, he does not fear God, but loves and trusts Him. He does not worship the idols of our time—Wealth and Respectability, the two calves set up by our modern Jeroboam. He fears not the damnation these idols have the power to inflict—neither poverty nor social disgrace. In busy and bustling New England comes out this man serene and beautiful as a star, and shining like “a good deed in a naughty world.” Reproached as an idler, he is active as the sun, and pours out his radiant truth on Lyceums at Chelmsford, at

Waltham, at Lowell, and all over the land. Out of a cold Unitarian Church rose this most lovely light. Here is Boston, perhaps the most humane city in America, with its few noble men and women, its beautiful charities, its material vigor, and its hardy enterprise; commercial Boston, where honor is weighed in the public scales, and justice reckoned by the dollars it brings; conservative Boston, the grave of the Revolution, wallowing in its wealth, yet grovelling for more, seeking only money, careless of justice, stuffed with cotton yet hungry for tariffs, sick with the greedy worm of avarice, loving money as the end of life, and bigots as the means of preserving it; Boston, with toryism in its parlors, toryism in its pulpits, toryism in its press, itself a tory town, preferring the accidents of man to man himself—and amidst it all there comes Emerson, graceful as Phœbus-Apollo, fearless and tranquil as the sun he was supposed to guide, and pours down the enchantment of his light, which falls where'er it may, on dust, on diamonds, on decaying heaps to hasten their rapid rot, on seeds new sown to quicken their ambitious germ, on virgin minds of youth and maids to waken the natural seed of nobleness therein, and make it grow to beauty and to manliness. Such is the beauty of his speech, such the majesty of his ideas, such the power of the moral sentiment in men, and such the impression which his whole character makes on them, that they lend him, everywhere, their ears, and thousands bless his manly thoughts.

---

#### ART. V. — PANSLAVISM.

DR. BERKLEY, Bishop of Cloyne, in 1725, sung of North America, already aspiring to freedom, the following verses:

The Muse, disgusted at an aged clime,  
 Barren of every glorious theme,  
 In distant lands now waits a better time,  
 Producing subjects worthy fame.

In happy climes, where from the genial sun  
 And virgin earth such scenes ensue,  
 The force of art by nature seems outdone,  
 And fancied beauties by the true.

In happy climes, the seat of innocence,  
 Where nature guides and virtue rules,  
 Where men shall not impose for truth and sense,  
 The pedantry of courts and schools:

There shall be sung another golden age,  
 The rise of empire and of arts,  
 The good and great inspiring epic rage,  
 The wisest heads and noblest hearts.

Not such as Europe breeds in her decay;  
 Such as she bred, when fresh and young,  
 When heavenly flame did animate her clay  
 By future poets shall be sung.

Westward the course of empire takes its way;  
 The four first acts already past,  
 A fifth shall close the drama with the day;  
 Time's noblest offspring is the last.

Westward Dr. Berkley's muse takes her flight; how many thousands of Europe's children have since hastened in the same direction; how many thousand hearts are still sending thither, across the Atlantic, their longing wishes. The mighty uprising of the nations of Middle Europe during the two past years, has been followed by so terrible an overthrow from the East, that even yet one rubs his eyes and asks himself, where and in what times are we living? Absolutism raises its head again in power, and threatens to trample down the fruits of centuries of care and culture. The butcheries of the courts martial in Vienna, in Baden, and in Hungary; the prisons filled throughout the land, and especially in Prussia and Austria, with political offenders, testify to the effects of the influence that is dragging Western Europe away from America with the arms of Russia. Absolutism and Democracy are now in contest for the possession of Europe.

Is the will of a single privileged individual to be law, or the constitutionally pronounced voice of the community? That is the question towards the solution of which all things are now tending. Democracy seemed, a year ago, secure of victory; now we might almost pronounce it entirely overthrown. Either statement however would be an exaggeration. Thus much is certain, the struggle still continues; the victories of the Democratic movement were only successful skirmishes. The dangers are still great. The position of Russia is threatening; the Czar stands forward so distinctly as the champion of Absolutism that sheer blindness alone can overlook or disregard the advance of the northern giant.

And truly gigantic are the proportions of the Russian empire. Nearly half of Asia and more than half of Europe are united into one whole under the sway of the potentate of St. Petersburg. What David and the Prophets foretold of a universal kingdom seems to find a fulfilment in Russia. What

the Jews dreamed of, what the Romans attempted, is perhaps reserved to the Russians to accomplish. The Roman empire, it is true, embraced the most cultivated nations of the populous shores of the Mediterranean. But Russia also since the time of Peter the Great has been making advances in culture, and at the same time endeavoring to get into her possession the sea-coasts of the North and the South. The contest for freedom in Hungary, in which the Poles participated, kindled the flames of Democracy on the borders of the Czar's dominions. By cunning and by force the flame has been got under, and the smoke rolls in suffocating volumes upon the West of Europe. The attempt to introduce the spirit of the new world and the new time into the neighborhood of Russia, has failed, and has only gone to increase her might and importance. Austria lies prostrate in the bonds of her powerful neighbor, and seeks a cold comfort in the notion that Russia fought in Hungary only for her own safety. Germany is the outwork against this Slavonian inundation. But how stands it with this outwork? We can only say, the stones that must compose it, the individual German states, are there; but the wall is not yet built; the unity of Germany is as yet far from being accomplished. Russia knows who her foes are, and weighs their power; she will leave nothing undone that may contribute to prevent a federative union in Germany. The matter at present is in her own hands; the German union is in treaty between the hostile, jealous states of Prussia and Austria. Every government in Germany has it in its power to interrupt and to hinder. In short, Germany lies open to the enemy. The emissaries of the Russian monarch are at work in all the Cabinets. The German princes, disunited among themselves, are the more inclined to the Russian policy in proportion as they seek to oppose the progress of Democracy; and the more they oppose it, the more they come under the yoke of Russia. Then is not the power of the Sultan at Constantinople dependent upon the pleasure of the Czar? Does not Russia know that the Christians of Greece are anxiously expecting his approach, and can hardly wait for the day when the Russian eagle will perch upon St. Sophia's, — and the crescent make room for the cross? Will powerless Italy and the tottering Papal throne refuse the Russians a passage over the Alps and over the Rubicon?

And finally France with her Napoleonidæ, that is, with the ashes of Napoleon, will she dare to remember the battles of

Smolensk and Moskowa? Every fibre of France is quivering with the painful thought; Napoleon's fall was the triumph of Russia!

The balance of power in Europe has long ago become an empty figure of speech in the mouths of European diplomats; Russia in particular looks down with a smile of pity upon this decayed fragment of ancient times in the heads of politicians. Cunning in politics, Russia ignores the balance of power, and thinks only of an overbalance, of a scale with chaff in one scale-pan, and the hundred-weight of her might and greatness in the other. People in Europe are afraid of a European war, and this fear prompts moderation and forbearance. Russia does not fear the war; she ardently desires it. A European war is for Russia equivalent to the possession of Europe. Already the armed hordes are encamped on the western frontiers; ready at the word of the Czar to overrun and conquer the defenceless territories of his disunited and already half-vanquished opponents. He will then openly rule over the powers that before were already in his interest, and the Emperor of Russia will be Emperor of Europe. Will England withstand him? She will suffer the punishment due for having left Poland and Hungary to perish at the feet of Russia. The nations of German and Roman origin will be swallowed up by Russia. Such is the progress of Panславизм in point of fact! But there is also an *ideal* Panславизм, which is the foundation of the other.

The Slavonic race consider the right of universal dominion as belonging to itself, and itself as the upholder of true Christianity, the true Church, and thus the true source of Salvation to the nations. Moreover it has always kept itself free from all democratic movements and revolutionary desires, and has preserved in its politics a patriarchal system. Every thing has a fixed, Asiatic stamp, a persistency untouched by the variability of the West of Europe. If we wish to look a little into the cradle of Panславистическіе notions, we must, amongst other documents, examine a book that appeared in Paris in 1845, under the title of: "*L' église officielle et le messianisme, l' église et le messie*," by Adam Mickiewicz. The author of this work calls the Slavonians the people of the purest patriarchal religion, unspoiled by phantasy and by science, full of innate piety; the people of expectation, whose history and development are yet to come; a people of Brahmins, of priests and kings, of true Christians, with whom a new era of spiritual philosophy will commence. Thus it is that Slavonianism sets

off its Asiatic barbarism. In what light does Protestantism appear to it? The author of the above work says, I. 336: "A great number of Protestant clergymen have taken to abstract philosophy, *because they no longer believed in Jesus.*" Page 418: "It is the customary tactics of the philosophers of the Protestant school, to cover themselves with the cloak of Christianity; this is based on a profound contempt for the people, who must be left in their ignorance. Thus the Protestant clergymen preach in the pulpit a truth which they ridicule in the study." Page 430: "Schleiermacher did not even believe in the existence of Jesus."\*

Of the Roman Catholic Church he says: Salvation is no longer to be expected from the official Church of Rome; she has no apostolic clergy, no evangelical speech, no sympathy for misfortune, no power to produce new prayers, no self-denial, no force to oppose Protestantism, no inspiration from inward sight, no fellowship of the spirit, no creative idea and no living word; her priests are only the "*commis-voyageurs du Catholicisme.*"

The views of the Panслависты, as to the part they are to play in history, and how they consider themselves appointed to conduct the destinies of the nations, chosen of God and girt for the task of rescuing the world from destruction, infidelity and anarchy, all this may be best seen from the following account in the Gazette Politique of St. Petersburg, of a year back:

"The Emperor, before his departure for the campaign against Hungary, summoned the Russian and Polish Bishops to St. Petersburg. From Poland the Bishops Holowinski, Borowski, and Zylinski were sent for. The first of these gave thanks in the name of the whole for the condescension shown to them, and said that by means of the faith, of conscience, love and persuasion, they would strive to lead the people in the way of quiet and obedience, and resist the spirit of anarchy, and that they thought, in this way, to further the wishes of the Emperor. The Emperor shook him by the hand, and said, amongst other things, 'I will have no new

---

\* A Protestant theologian of Germany, Dr. Kalb, of Wechselburg, in Saxony, thus replies: (Allgemeine Zeitung für Christenthum und Kirche. No. 32, 1846.) "Who that knows anything of history and philosophy can overlook the enlightening, refreshing, invigorating, enlivening, edifying spirit of Kant's doctrine of the consciousness of the moral law as the divine order of the world, Fichte's lofty idealism, Schelling's insight into the divine unity of all contradictions in nature; communicated from them to the Church and to Science, and especially to German theology. So that all humanity has to thank the leaders of German philosophy for a good part of the progress we have made towards reconciling Religion and Science, Church and State."

faith. They have invented a new Catholic faith abroad, but I will not have it introduced into my Empire, for these new lights are the greatest of rebels. Without the faith nothing can stand. We see in the West what becomes of men when they have no belief; what absurdities they are perpetrating there! I foresaw it all when I returned from Rome. Religion has entirely disappeared from the West; this is shown by the manner in which they are treating the Pope. *It is only in Russia that the true faith prevails*, and I hope (here the Emperor crossed himself) that the holy faith will sustain itself. I said to the late Pope, Gregory XVI., what no one had ever said to him before. The present Pope is an honest man and had good intentions, but he gave himself up too much at first to the spirit of the time. The King of Naples is a good Catholic; they slandered him to the Pope, but now he has had to take refuge with him after all."

Bishop Holowinski replied: "Circumstances prevailed upon the Holy Father; he could not resist the spirit of the time." "That is possible," answered the Emperor, "but all these troubles come from a want of faith; I am no fanatic, but my faith is firm. In the West there are only two alternatives, either fanaticism or complete atheism. (Here he turned to the Polish Bishops.) You are the neighbors of these misguided people; your example ought to be a lesson to them. Should you meet with any difficulties, apply to me. My whole force shall be directed (here he raised his clenched fist) to the repression of this torrent of unbelief and disorder, which is spreading more and more, and which even seeks to force its way into my territories. The spirit of revolution gains ground through atheism; *in the West there is no faith*; and I swear that worse will come of it to them." Here the Emperor turned to the Metropolitan, kissed his hand and said: "Hitherto we have ever been on good terms with each other; I hope it will so continue." In these words of the Emperor we have a full expression of Panslavistic sentiments: "In Russia alone prevails the true faith! In the West there is no faith." What an apostolic mission is bestowed upon Russia! In the name of the faith they are to go forth against anarchy and unbelief, and conquer the world. The Slavonians are the people chosen of God in modern times. What was shown to the Jews and Romans only from afar, is granted to them. To them therefore apply the words of the 149th Psalm: "The Lord taketh pleasure in His people; He will beautify the meek with salvation. Let the saints be joyful in glory; let them sing aloud upon their beds. Let the high praises of God be

in their mouth, and a two-edged sword in their hand. To execute vengeance upon the heathen, and punishment upon the people. To bind their kings with chains, and their nobles with fetters of iron. To execute upon them the judgment written : this honor have all His saints."

With this proud consciousness, the lust of dominion is justified by their own orthodoxy of belief and the heresy of their enemies, and its gratification favored by the disunion of their opponents and their struggle for absolute power for themselves. The more western countries of Europe have but one way of escape from Russian supremacy ; namely, to form themselves into a thorough and consistent opposition to her principles, by accepting free democratic sentiments, and developing them in all directions in the State, thereby embracing with renewed enthusiasm a practical Christianity, with all its deep, inward, joyful peace and freedom. Thus would they be outwardly and inwardly armed, and the threatening storm of Panславism, ideal and practical, would melt before them into mist. Would that all men of Western Europe might accept, with the joyful certainty of victory, the truth held up to us by the celebrated Swiss theologian, Merle d'Aubigne, (" Luther and Calvin, or the Lutheran and Calvinistic Churches, their difference and their essential unity,") " Democracy is the future towards which all nations are advancing." Would that all the governments of Western Europe, and especially of Germany, would pay attention to the words of St. René Taillandier, (*Rev. des deux Mondes*: *Hist. du parlement de Frankfort*, Paris, 1849, IV. 148 ;) " The triumph of the feudal and pietistic party would be the triumph of Russia, and after having perforce made use of this dangerous ally, Vienna and Berlin should be thinking of fortifying themselves against her. It would be wise for these governments, after the disorders of the two last years, to reject the counsels of a blind reaction, and themselves raise up the constitutional party. In the present condition of Germany, this would be not merely an act of generosity, it would be the most sagacious policy. The revolutionists have compromised the ancient unity of Germany, and put her liberties in peril ; let the governments repair all these disasters ; let them lay the foundations of a new union ; let them secure to modern society the legitimate guarantees demanded by the progress of reason. The revolutionists have brought Russia into Germany ; *let the governments, by taking up the liberal side, protect Germany against Russian influence !*"



## ART. VI.—THE POSTAL SYSTEM EXCLUSIVE.

AMONGST the various topics that grow out of the postal system of this country, is one which touches the basis of the establishment. It is now, for the first time, denied that that system has had, or has any legal existence under the Constitution as a monopoly. A denial from a high source, and calmly and clearly made, is entitled to consideration. All constitutional questions are grave and momentous ones; but the extent of operation and the influence of the post-office department are such; its economy, revenue and success, and the necessities of the people depend on such influences, that this becomes one of the most important ones which can be presented to the people.

The source from which, if at all, Congress derives the power to claim a monopoly in the post-office department, is the clause in the Constitution, authorizing that body "to establish post-offices and post-roads," Art. 1, §8, and "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested," &c.

Under this sanction, Congress has, during the whole course of the government, passed laws more or less exclusive in character. It has been very justly stated as "the result of an analysis of the post-office legislation of the country, that under the power to establish post-offices and post-roads, the general government has claimed the right to raise a revenue by postage on letters, and the exclusive right to convey mailable matter, not only throughout the country, but also between our own and other countries."

The question is whether the Constitution confers any such exclusive right. Let the right of mail carriage throughout this country be first considered.

The most obvious remark, that the power is not granted in exclusive terms and is not prohibited either to States or individuals, will be found to have little force. Besides begging the question, it involves a doctrine of construction that has never been held sound, and, what is of more importance, it precludes all considerations relating to the subject matter and the objects of the grant.

A constitutional frame of government cannot be thus construed. It is not, in all or most instances, to be settled by mere rules of grammar or scientific definition of terms, which, like analogies and juxtaposition, may aid in construction, but rather

by the nature, objects and origin of the grant. There is danger in adhering to the strict letter.

There is another danger of being misled by the classification of what was not written with a view to classification, though that may be a help to a certain extent and for certain ends. Thus, because certain powers, granted to Congress, are prohibited to the States, such as the regulation of commerce, the treaty making power, and the right to coin money, the rule, *expressio unius exclusio alterius*, is not to be applied and the inference drawn that all not prohibited are reserved to the States. Nor can it be held that this power is not exclusive because it is not in terms granted to Congress exclusively, as is the right of legislation over "forts, arsenals, the District," &c.

Nor can one justly go a step further, and hold that this power is exclusive, because the exercise of a like power would be incompatible in its very nature, as is the right of naturalization; or claim the converse, that, so far as a concurrent exercise of the power did not prevent or interfere with the exercise of that granted, it would be lawful.

There are subjects, over which the power granted to Congress must, from the nature of those subjects, be exclusive. The surrender of fugitives from labor is a matter of international concern. The right of granting patents and copy-rights, had the word "exclusive" not been used, would, from the nature of the things, have been exclusive. Over other subjects, Congress has jurisdiction which is exclusive to a certain point; yet the States may also legislate upon them. Instances are seen in license and quarantine laws. On others still there is concurrent legislation and direct or incidental interference.

Now the power in question is not granted exclusively, nor granted to Congress and prohibited to States or persons, in terms; it is not indivisible by nature; it is not of exclusive international concern, so that for that cause it must be under the control of a power above the States to keep them from conflict; it is not of such a public national character that it must be vested in the general government, as alone fit to negotiate with foreign powers; it must obviously depend on considerations different from those that govern these various classes of cases, though they may all serve to illustrate it.

If this be correct, many of the objections to the exclusive grant of the power are disposed of. We must turn, then, from that construction, which is based on punctuation, collocation, and rules of an arbitrary nature, to that construction which

looks to the nature, history and ends of the thing itself and of the government.

Now the first inquiry is, at the time of the formation of the Constitution, what was understood by the terms post-offices and post-roads, which Congress had the power given to it to establish. One might stop at any point, from the mere designation of buildings and routes, up to the monopoly of mail carriage—the present postal system. How far was the grant actually thought to extend when it was made?

Post-offices and post-roads are of recent origin. Under the English government, the carriage of the mails of the realm, had been an exclusive right; a monopoly, secured as a source of revenue to the King, or some subject, by grant; as the various acts of parliament, from the time of the first establishment of mails downwards, show.

In this country, under the colonial governments, a few short periods excepted, the post-office had always been understood to mean, not a place of deposit, or for receipt and delivery of letters; not the carriage of the mails; not alone a system of offices, posts, and officers; but the department in which was vested the monopoly of the mail business of the country.

In the earlier history of the Colonies, indeed, we find the Virginia idea of a post-office. Thus in Massachusetts, on the records of the General Court in 1639, 5th, 9th month, it appears that:

“For preventing the miscarriage of letters:—It is ordered Richard Fairbanks his house in Boston is the place appointed for all letters, which are brought from beyond the seas, or are to bee, sent thither; are to bee brought unto him and he is to take care, that they bee delivered, or sent according to their directions and hee is allowed for every such letter 1d. and must answer all miscarriages through his own neglect in this kind; provided that no man shall bee compelled to bring his letters thither except hee please.”

In 1667 the merchants of Boston presented to the General Court this petition:

“We whose names are under written, hearing many complaints made by Merchants and others, and several of us being sensible of the loss of letters: whereby Merchants especially, with their friends and employers in forraigne parts are greatly damnified: many times the letters imposed and throwne upon the Exchange so that who will may take them up: no person without some satisfaction being willing to trouble their houses therewith: so that

letters of great moment are frequently lost : our humble request, therefore, to this Honoured Court is, that they will please to depute some meet person to take in and convey Letters according to their direction : and the Honoured Court sett the prices on letters & state that affaire. And if this Honoured Court please, we suppose Lt. Richarde Way may be a fit person for that service.  
(Signed) William Brattle & others."

But in 1693 a postal system was established. The act of Massachusetts, after reciting that their Majesties in 1691 had, by letters patent, granted, for the term of twenty-one years, the right to establish an office, enacted that a general Letter Office be erected and established in some convenient place within the town of Boston, from whence all letters and pacquets could be sent into any part of their Majesties' dominions ; and it conferred on " the master of the Office, his servant or agent & no other person or persons whatsoever," the right of " receiveing, taking up, ordering, dispatching and sending post or with speed and delivering of letters and pacquets whatsoever " where posts should be established, except letters of merchants and masters sent by any masters of ships, &c., and letters sent by private friends on the way of their journey, or by special messenger.

The act after fixing the rates provides :

" That no person or persons whatsoever, or body politic or corporate, other than the Post Master general aforesaid shall presume to carry, recarry or deliver letters for hire other than as before expressed, or to set up or employ any foot post, horse post or packet boat whatsoever, for the carrying, conveying and bearing of any letters or pacquets, by sea or land within this Province, or shall hire or maintain horses & furniture for the equipping of any persons riding post with a guide & horn, as is usual in their majesties' realm of England, upon the pain of forfeiting the sum of forty pounds current money of this Province for every several offence against the tenor of this present act, to be sued and recovered in any Court of record within this Province, by bill, plaint or information, wherein no essoyne, protection or wager of law shall be allowed," &c.

It then provides that all letters or pacquets brought by any masters of ships, or their company or passengers, must be delivered to the Postmaster to be delivered by him. Provisions were made to compel the Postmaster to support the regular posts, to deliver and despatch promptly and to stamp all

letters with the day of receipt, and to compel ferrymen to carry the post riders.

Similar acts were passed in the other Colonies.

In 1774, the Boston Committee of Correspondence proposed to the Salem Committee to establish a post-office and post riders between those cities, independent of parliament. The proposal recognizes the exclusive character of the mail system.

In 1775, Congress resolved "that a Postmaster-General be appointed for the United Colonies and a line of posts established." This created a monopoly.

By the articles of confederation, Art. 9th, the United States, in Congress assembled, had "the sole and exclusive right and power" of . . . "establishing and regulating post-offices, from one state to another throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office."

Thus stood this subject when the Convention of 1787 was called. The first trace of it in that convention is found in the draft of a plan of government submitted by Pinckney, May 29th, 1787, in this language, "to establish post-offices." In Patterson's resolutions it was proposed to raise revenue by postages on letters and packages passing through the post-office. The subject, however, was left in the language of Mr. Pinckney in the the draft of a constitution reported Aug. 6th. It was amended on the 16th by adding the words "and post-roads." A proposition was afterwards made and referred to the committee to vest in Congress power "to regulate stages on post-roads," but the provision was not altered.

Now the general language "to establish post-offices and post-roads" is broad enough to confer a sole power if the idea then attached to the grant was that of an unit, an indivisible thing. It is true the language of the confederation, "the sole and exclusive right and power," is not used. Were the Constitution in fact a mere revision or copy, the omission would be significant of an intent that the grant should not be exclusive. As it is, it is rather to be inferred that the omission was because the terms themselves, the general language without prohibition, were expressive of an entire and exclusive grant. The Post-office was first created, had from time immemorial been, and then was in actual operation as a monopoly, a unit, a department of government. It was not thought of as having an existence in any other form; and it was thus thought to be granted. More would have been tautology.

This conclusion is confirmed by the fact that there are no marks of design in the omission that can warrant the inference of an intent to leave the business of mail carrying to private enterprise, or to create a public department that should be subject to the rivalry of private competition.

Such, too, was the understanding of the framers of the Constitution. The law passed in 1789 provided that "the regulations of the Post-office should be the same as they were under the resolutions and ordinances of the late Congress."

It is not just to say that this was passed without thought, in the emergency of the time, whilst getting a new government into operation. But if there did then exist a necessity for creating an exclusive power, it would follow that the power granted was meant to be exclusive, rather than the entire grant should be empty and useless.

Congress, under the Constitution, took the thing as it existed, as it had been created and used under the Colonies. The document of Postmaster Osgood, of 1790, shows that, according to the best opinions of that day, the Constitution vested in Congress the right to exclude all persons from interference with the internal or the foreign postal system. Thus he names, amongst the evils which can be more easily remedied "under the present government," that "stage-drivers, and private post-riders may have been carriers of many letters which ought to have gone in the mail," and "that ship-letters may not have been properly attended to."

The grant was not made to Congress as of a thing to be taken away, in this mode, from the States or the body of the people, and for which a monopoly could be secured for the benefit of the general government, a regular branch of trade then followed by private men and companies, but as a system, which had always been an unit, self-supporting, because not of such universal use as to be a just ground of general taxation; exclusive, because a monopoly was the only means by which its existence could be preserved, and one to be built up and confirmed, to meet the wants of trade and commerce, to add to the comfort and convenience of the people. Strictly, this grant created a department, not for the State, but "for the people," a public institution.

The object of the grant was not stated, as was that of granting the power to secure patents and copy-rights to authors and inventors, but it is obvious enough. It was to answer the wants of the people; to promote their good by providing safe,

sure and prompt means for receiving, carrying, and delivering mail matter ; that is, all such matter, written or printed, as is ordinarily used for communicating intelligence. Congress was made the judge of what the grant was, and of the extent of the necessity for its exercise. Congress alone could judge what means were necessary to be used to make the exercise of the grant useful. Had the grant been different — still, in order to sustain it, if it had been necessary that all others should be prohibited from interfering with it, Congress must judge of the necessity.

The suggestion that as Congress can define mailable matter it may monopolize the carrying trade of the country, is a mere bugbear, a shadow. It might, as reasonably be dreamed that the people, acting through Congress, would, to their own destruction, define coin, patents or commerce to be something that was never dreamed of. Because things, not letters, but ordinarily sent with them, and like them, and not interfering with their carriage, but a natural incident thereto, and others ordinarily used and required by the state of society for communicating intelligence, are defined to be mailable matter, it by no means follows that heavy merchandise can be so defined. The exact line of division may not be marked. But the species are distinct enough to any clear mind. The suggestion is scarcely worth answering.

This view is confirmed by the fact, which scarcely leaves the point open, that Congress has uniformly exercised the power as it was originally understood to have been granted, as creating a monopoly in the general government.

The result is a just comment on the exercise of the grant as an exclusive one.

Suppose, from the beginning, that the mails had always been open to private competition, would the country have had in 1847 sixteen thousand post-offices ? and four millions paid for postage ? Would the country be what it is ? Would the people be what they are ? Individuals would have found little encouragement to establish posts even between the greater cities in the earlier years of our history, could never have sustained them between the most numerous class of places where the mail was transported under government, and would never have dreamed of such a folly as to fancy that money could be made by maintaining them on to the frontier towns and posts, in advance of our widening civilization.

Yet it is plain that the establishment of posts between those

places where private enterprise never could have established them, has been one of the means, how great and efficient let every one imagine, of extending the civilization and promoting the settlement of the country.

Yet it may be urged that the government may establish such post-offices as are necessary and lean still to private competition, to provide for such as can be managed better by private individuals than by the government.

The nature and objects of the grant are such that, had not its terms been sufficiently broad to vest an exclusive power in the general government, still they would have created a monopoly from the necessity of the case.

The risk of robbery and of frauds is such, such are the operations of all private enterprises, that it is impossible that the safety and convenience of the public can be answered in any other mode. The absolute necessity of an uniform, regular, simple, sure system, is quite as great as that the merchant's counting room should be opened every morning.

Men may exchange, barter, or pay in silver and gold as much as they please, yet the coining of money is held as an exclusive prerogative, because the safety and convenience of the people can not be secured in any other mode — only by having coin of uniform and certain value, so as to be really current. This would be reason enough, were there no words of prohibition, for saying that coinage should not be open to private individuals. And for analogous reasons must the grant of the right to establish post-offices be held to be exclusive in its nature. The ancient acts that have been cited show, upon a very small scale, the nature of the evil, which would become intolerable in the midst of a country and a commerce so extensive as ours are at this day.

This argument might be pressed, and, if the question is ever to become a serious one, will justly be urged, and be found to be of controlling weight. As a mere question of expediency as to the means of securing a safe, sure, and prompt mode of supplying one of the necessities of the people, it will be found that the considerations already alluded to might, if the question were a new and open one, lead to the adoption of the very principle that is now acted upon. Analogous principles established a bank. Yet how much more clearly do these justify, under the express language of the Constitution, the exercise on the part of Congress, of the exclusive right of controlling the mails of the country.



Another consideration, scarcely less in importance, is found in the influence that is exerted, through the operations of the post-office department, upon the mind of the people. The human frame, deprived of a free and healthy circulation of the blood, plainly teeming with loathsome diseases, and sure of a life of pain and premature death, would not differ more from a healthy body than would this country differ from what it now is, had it never had the post-office department. Next to its churches and common schools, is it indebted to this for its intelligence, its national feeling and character, its friendly intercourse and sympathy, its unequalled enterprise and its prosperity.

But we cannot pursue this argument. In case the question were one of interpretation and the terms of the original grant did not imply the idea of an exclusive one, based upon different grounds indeed, but quite as much exclusive, notwithstanding, as the right to grant patents, secure copy-rights, to coin money, and more so than some others that have been exercised under the Constitution, then this argument would warrant a construction that should secure to the people, the existence of this department with its exclusive rights, as a thing made and established "for the people," and of which, because of its nature and mode of operation, the people must have control.

One other fact must be adverted to. If the contemporaneous and constant construction or exposition of the grant has decided that it was intended to be exclusive, the constant acquiescence of the whole body of the people in that exposition, the uniform action of all the branches of government certainly have placed the point beyond question, so far as any point can be settled by one long and uninterrupted acquiescence. It is not a little singular that "not a single public man" has ever questioned that the laws were constitutional, though they have been in force ever since 1789.

The position seems now to be taken, because it is a time of revolution, or at least, great change in the principles that govern the mail system, and because of new inventions, which have essentially changed the means of transporting the mails and of communicating intelligence between places distant from each other. Questions like this arise naturally enough; but, so far as a question of constitutional law is to be made, it must be decided not by the present state of facts, but by those that existed at the period when the Constitution went into force.

No argument against the monopoly can be drawn from the

idea that the prohibitions of the law "have been constantly violated, every day and every hour in the day," which has been clumsily suggested, more particularly as in the same breath it is urged that no one had any interest to violate them. The fact is that the same evils interfered with the Post-office under the Colonial governments as are now felt, and the acts are aimed against them.

If any conclusion were justly and legally to be deduced from the application of present facts to the old law of the Constitution, it would not be that the law must be sacrificed or its construction be varied, age after age, as the machinery and inventions of the age vary or improve, but rather that any new inventions for doing the old work, if of such a character as would throw it all into the hands of private speculators, destroy the mail of the country, and leave the people to such arrangements in such places as might be found profitable for speculation, should yield to the higher claims of the whole country. It might be claimed that, it being settled on the highest grounds and on mature consideration that the people must have this department under its supreme control, for safety, security, promptness, cheapness and universal operation, in the quickest and most unerring certainty, no invention, like that of the telegraph, for instance, should be allowed to be operated by private speculators in the shape of a monopoly, which should impede the operation of the post-office department, or defeat the ends for which it is supported. The end is, to put all men on equal footing so far as the transmission of intelligence is concerned, and, for reasons vital to the public welfare, aim, as far as human power can effect it, to have it as free, as quick, as sure and as cheap as the light of day.

The time may come when a free mail will be felt to be as necessary as free schools.

Monopoly is a term which cannot justly be applied, in its odious sense, to the action of Government. The power now exercised by the post-office department is not one held for its own emolument or the benefit of the Government, to the exclusion and prejudice of private individuals, in order that, and because the State should make the money that is to be made, rather than private men or companies, but as a sacred trust reposed there, for the very reason that it is of such vital moment that no men or companies ought to make money out of it, it must be surely, safely, promptly, universally done, as no men or bodies of men would or could do it. The whole body

of the people retains it, to prevent monopoly, the only forms of monopoly that ever need be feared. Were any one now allowed freely to transact any mail business, it would not be long before private enterprise, capital, personal or corporate influence, the various things that affect all trades, and others more dangerous and obvious that would be peculiar to this, would be in operation in their full force. Then there would be monopolies. Now, whilst our Government is not above the people, but of the people and for them, it is rather a universal participation in what is of such universal concern that all should share and sustain it alike, and no man be allowed to make a gain out of what must be the loss of some one or of the whole of the people. If the people do not yet feel that all means for transmitting intelligence ought to be open equally and freely to all, they do see that the freest and cheapest postage pays the best, and that they alone can secure that by keeping it in their own control.

It is very likely, if not sure, that the post-office system in this country has many defects. It may be that money is not always well charged or spent; that the true principles on which the tariff of postage is charged, or the departments sustained and conducted, are not known or acted upon. But is it safe to throw up the matter, now that the light is dawning upon us, and leave it all to those who will, for the sake of making money, attempt to effect what we come so near to accomplishing? Will not the people take care of themselves? The matter is, in fact, one for legislation under the Constitution. The people only need to use the powers which they possess, rightly and prudently. They need not abandon the right, if it is not well used; surely not, because it is seen to be of such transcendent interest that a body of men should open a door for a new trade that, in its extent, would rival some of the great branches of commerce. If this were made free, and became an established line of business, and were subject to the same influences that are seen to operate in other affairs, and no other peculiar ones, trade must soon die, and the people themselves sink. But there are also peculiar dangers. The nature of the system is such that to make mail carriage free to all persons, would be to destroy its best features; its safety, promptness, and universality. This would tend to a monopoly of the benefits of using the mail. There would be danger, too, as in all trades, of a monopoly of the profits of the mail in the hands of a few, which, every day's experience shows, even free com-

petition cannot counteract. The results to society are too plain. The ultimate result must be suicidal to the system itself.

One other consideration should be adverted to. If the laws of Congress are unconstitutional, then many acts that have been done are unlawful. Even the judgments of the courts will be overthrown. In questions of mere law, where rules have been long settled and acquiesced in, such results furnish just grounds for refusing to change. But in questions of constitutional law, these considerations have yet greater force, for the action of government not only settles the law, but is itself the interpretation of the Constitution.

The result is that Congress has an exclusive right to the control of the mail: first, because such was the thing granted; second, because such was the contemporaneous interpretation of the grant, and it has ever since been so understood; third, if this were not so, that Congress has, by an uninterrupted and uniform, as well as an unquestioned course of legislation, settled that the exclusiveness of the power granted is necessary to render it of any practical value; and, having the power granted, and, with that, all means necessary for the exercise thereof, it has decided that the entire control of those means is necessary to support the right granted; and that this is a matter entirely within legislative discretion and not open to the revision of any other branch of the government, but only of Congress itself.

In relation to the States, it is to be remarked that they could not have intended to reserve to themselves the power to establish post-offices, whilst by the Constitution, they deprive themselves of the power to make compacts with each other, which would be necessary to establish any system or useful line of posts under their control.

Such seem to be the principles directly applicable to the present postal system. Were they less plain, other powers of Congress, that are undoubted, might be held to require that it should control the mail carriage of the country, as a necessary incident. Suppose there were no such department in this country, and in some other country one were invented, then might not Congress establish it here, to regulate commerce? Surely, a thing can hardly be named more vital to its existence. If it could establish the thing, and a monopoly were necessary to its existence, could it not create an exclusive right? If it were a mere question of support, it might be otherwise. Could a man establish a light-house on his own

shore if it were to mislead mariners? Could the merchants of the country enter into an alliance and fit out an armed fleet? States are prohibited, but if individuals were not impliedly, would it be in the power of each man to make coin for himself?

The post-office department seems to be one of those things, of which the regulation of commerce and the coinage of money are not unfit illustrations in other departments, which, from its very nature, must be exclusive. It is very true that if government has a line of posts from Boston to Washington, one might yet send letters by express over the same route and have the advantage of the double conveyance. Let it be supposed that all other objections are overcome and this is true. Still it will not be thought that private posts can be sustained save on a limited scale. For, were one ever to rival that of the government of this day in completeness, it would be the most dangerous power in the State. Now what is needed is, that every man should be able at his very door to drop his letter into a post that shall with sureness and promptness convey it to any place desired. Practically one sees at a glance that completeness is necessary. It must be borne in mind that nothing but an exclusive system can secure any post to frontier settlements, or to a large portion of the Southern States, because nothing could pay its way.

Now turning to the question of the postal system between our own and foreign countries, we can see more clearly the force of the argument in its application to the internal mail carriage.

It is true, letters can be carried to England by ship, cheaper, if you please in any given instance, under private contract than by mail. But it is also true that it will not be practically possible for one, every time he wishes to send a letter across the Atlantic to make his own arrangements for that purpose. It will not do to trust to private expresses. There might never be one. A man from a far inland town could not avail himself of either. This is a subject that must exist by system, complete and exact system. The general government alone has the only means that can establish such in the treaty making power. It is therefore a fit subject for the exercise of that power. It is also a subject not to be neglected in view of other powers granted to Congress and the duties of the sovereign power in the country. We are very fast coming to the time when a man in the most remote spot on our bor-

ders can communicate with his friends anywhere in the civilized world, through the mail that runs regularly to his door, perhaps through the telegraph, speak in his friend's ear, wherever he may be. Surely it is for the interest of all men that there shall be no speculation in, or monopoly of intelligence, or the means of its transmission. One wishes to know that wherever he is, the government is pledged to carry and bring his messages with unerring certainty, under the inviolable seal. In a democratic state of society, any thing is monopoly which does not keep this power entirely in the control of the whole body of the people, not by competition, but by united and efficient action.

The need of unity of action, in connection with the fact that the general government is the only power that can enter into the necessary stipulations with foreign powers, and make the regulations between the States of the Union requisite to establish a postal system, adds new force to the reasons on which private individuals have been excluded from interference with this most delicate machinery, the action of a single part of which, sensibly affects the whole. The whole government, then, is to be the exclusive manager of the mails, internal and foreign, for the sake of safety, promptness, unity, universality, and sureness of operation throughout this vast country and with all foreign powers. None of these ends can be secured by any thing less than the whole power of the Union.

Whilst such reasons lead to the result that Congress has the right of the exclusive and absolute control of the internal and foreign post-office department, using that phrase in its broadest acceptation, the receiving, carriage, and distribution of all mail matter, and of all such inventions and means of communicating intelligence as may or shall be resorted to for purposes for which the mail is now used, they go far to demonstrate the soundness of some principles touching the mode of exercising this right, which, though not yet beyond dispute, have been partially cyphered out by experience.

Indeed it is a corollary from them, that the power vested in Congress should be so exercised as to enable each man, from any point in the country, to communicate promptly, surely, and in the cheapest mode, with any other point in the world.

Years of returns, that should show a minimum, below which postage would not pay, should not shake one's faith in this conclusion. Yet all returns go far to prove that all mail

matter will pay best at the cheapest postage; for the reason that the actual cost of its carriage and delivery cannot equal the value of the smallest sum that can be paid. It is only because of the burden of what is not mail matter, or of free matter, that the minimum cost is not below the value of the smallest coin—if such be the fact.

The postal system is supported, not for revenue, nor any purpose but the public good. The theory is that it is paid for by a direct tax on all those benefited by it. Government, roads, schools, and the like, are paid for by all, it being conceded that all derive benefit therefrom; though many a taxpayer never votes, or travels over the roads, or sends children to school. It might very well be urged that the direct benefit to the whole people would be quite as great from a free mail, as from various other things, which, from this reason alone, are supported at public cost. It is very well worth considering whether the mere cost of collecting the post-office tax, in the present mode, be not vastly disproportionate to its amount.

It is plain, however, that the nature of the uses for which the mail is resorted to is such, that it is for the interest of the world, that every man should be able to avail himself of the mail, with the least possible restraint; quite as much as it is that streets or schools should be free.

The day has gone by when the post-office was thought to be only for the merchant. Men know now that it is not for the interest of any body, or any State, that any sort of barriers should be set against the freest inter-communication with all parts of the world. In view of this, our foreign postal system is of incalculable importance. It should be sustained with most liberal hand, as the most powerful of engines to contribute to the comfort and convenience of those entitled to the protection of our government, and from far higher considerations of its influence on the culture and peace of the world. Vast as the cost might be of sustaining a foreign system of sufficient completeness to carry out the idea, one cannot help reflecting that it would be well spent, and would not be so great in comparison with some expenditures that now swell the annual debt of the country, on the army and navy list. Perhaps, if a more liberal policy were to govern foreign relations, it might be found that its cost would be saved in the reduced expenditures for the national police, and the ends of man quite as much promoted by provisions for kindly intercourse, as by costly outlays for war.

Every one has at hand ample material, on which he can reckon for himself and decide on the proper price of internal postage. The main problem may be stated thus: does the actual cost of each letter amount to the value of our smallest coin.

But, without dwelling on this topic, we would remark, that the rates of foreign postage are very extravagant. It cannot cost twenty-five cents to take a letter to England or Ireland, or forty cents to carry one to California. The postage to most foreign countries varies from a quarter of a dollar to one dollar. Such rates are so enormous as to be a serious obstacle to the correspondence which most needs fostering. With many countries the postal arrangement is such that it can hardly be said that it secures a mail at all.

Whilst we aim, within our own borders, to secure in the most perfect form, completeness, promptness, safety and cheapness, either from some lingering jealousy of foreigners, or other causes as idle, our foreign postal policy seems to be managed with different views.

Yet it cannot be denied, on a just or practical estimate of the relative importance of different relations, that if a distinction were to be made at all, it might be found expedient to discriminate not against, but in favor of foreign correspondence. It is well to hold Americans, scattered as they are over the world, true to their allegiance; to keep them warm with American ideas, and keep alive their love for their country, for in these days they are missionaries to the rest of men; and whilst there are within our borders many thousands of men and women, from almost every country on the globe, who have given the best proof of their love and fidelity to our government by adopting it, it is well that no means should be omitted that can aid in cherishing their love of home, the land of their nativity and education, the relatives and friends of their childhood.

The foreign influence that would result would be, increase of knowledge, advancement in science and the arts, increase of wealth and comfort, and, above all, sympathy, love, which would quietly settle many troublesome questions that present hard problems to generalship and statesmanship, and would do some good work in the causes on which man is laboring.



## ART. VII.—SHORT REVIEWS AND NOTICES.

- I.—*Lehrbuch der Kirchengeschichte von Dr. Ph. G. A. Fricke a. Prof. d. Theol. zu Leipzig. Erster Theil, &c. Leipzig, 8vo. Vol. I. pp. xxii. and 391.*

DR. FRICKE is a young man not long ago appointed extraordinary Professor of Theology at Leipsic. We have before us a small work from his pen at an earlier day, with the title: *Nova Argumentorum pro Dei Existentia Expositio. Pars I. et II.* (Lips. 1846. 8vo. P. I. pp. 40. P. II. pp. 39.) It is a valuable tract, learned, judicious, and promising much from the diligence and ability of the author in years to come. It was noticed at the time by Schöberlein, in the tenth No. of Reuter's Repertorium for 1847 (S. 27, *et seq.*). Prof. Fricke has recently prepared the volume named above, as a manual to aid him in teaching ecclesiastical history. Without finding fault with the valuable works of Gieseler and Neander, both of which have been translated by accomplished American scholars, and laid before the public, there is still need of a manual like this of Dr. Fricke. He divides the history of the Christian Church into three periods, namely:

I. The Ancient Period, from Christ to the Reign of Charlemagne;

II. The Middle Period, from Charlemagne to the Reformation;

III. The Modern Period, from the Reformation to the present time.

He intends to devote a volume to each period.

This volume contains an introduction with the usual discussions on the history of the Church; and a preliminary history of Christianity, in which hebraism and heathenism are briefly defined and described; then comes a brief and special introduction to the history of the first period; and next, that history itself, which he divides into three parts, namely:

I. Of the Inward Development of Christianity;

II. Of the External Development or extension of Christianity;

III. Of the Constitution of the Christian Church.

I. He is sometimes inclined to follow the authority of the Acts rather than Paul's epistles. In treating of the three portions of Church history, he is necessarily brief, but by no means a compiler from general histories of the Church; he always goes back to original sources, and refers his students also to the modern protestant writers, whose works bear upon the subject in hand. His chapters on the Apostles and the Apostolic Fathers are well considered and valuable; he does not make the antithesis between Paul and Peter so great as Schwegler and others have done,

neither is he hasty in rejecting the doubtful epistles ascribed to the Apostles or the Fathers. The chapters on Gnosticism are well studied, and refer to the latest literature on the subject. He divides the Gnostics into four classes: the first maintain the unity of Christianity and the ancient forms of religion; on the Jewish side this doctrine is represented in the Clementina, on the heathen side by the Manichees. The second class maintain that Christianity is the old forms of religion carried out to their completion (*der erzielte Höhenpunkt*); this is represented by Basilides, Valentinus, and the Ophites. The third class maintain that Christianity is the only divine religion; here he puts Marcion and his followers. The fourth class of Gnostics are opposed to Christianity; here on its Jewish side he puts the three Samaritan Gnostics with the followers of John the Baptist, and on the heathen side he finds the Neoplatonists.

He traces the gradual development of Catholicism as a system of doctrines, briefly sketching the most important controversies of this period. His account of the practical or moral development brought about by Christianity is brief and sketchy, (pp. 81, 88, 89, 95-96.) His limits did not allow him to say much.

He shows how easily the moral element of Christianity was turned aside into merely mechanical modes of action, and devotes several sections to an account of the development of asceticism and its consequences in various forms. (pp. 90, *et seq.*) The Pelagian controversy is treated at length. (pp. 99-102.)

II. In part II. he treats of the extension of Christianity, and the various conflicts of Christianity with the people, the State, and the science of the times; the successive contests of Christianity with judaism and the heathenism of the Greeks and Romans, the Germans, the Persians, Armenians and Iberians, and the Mohammedans.

III. The third part treats of the constitution of the Christian Church. In a moderate and candid spirit he traces the gradual and unavoidable growth of that powerful organization—the Catholic Church. He gives a long and interesting account of the *cultus* of the Church, of its political form, and of the clergy. He dwells at length on the modifications of the forms of the Church, which arose from the Germans.

This volume contains important extracts from the original authorities, is well printed, and furnished with a copious index of names. On the whole, it must be regarded as a valuable contribution to the literature of ecclesiastical history, and we may predict that the other volumes will increase in value as they successively appear. This volume alone would make the literary reputation of any English or American author.

II. — *S. Ignatii Patris apostolici quae feruntur Epistolæ una cum ejusdem Martyrio: collatis Edd. græcis Versionibusque Syriaca, Armeniaca, latinis denuo recensuit Notasque criticas adjecit Jac. Henr. Petermann, Dr. Univers. Berol. Prof. extr. Academiae Arm. mecht., etc. Socius.* Lips. 1849. 8vo. pp. xxvi. and 565.

IN this new edition of the works ascribed to St. Ignatius, Petermann reprints the common text, only altered a little here and there, and enriches it with notes, derived chiefly from the Armenian version of Ignatius and the Syriac version (or abridgment) thereof, published by Mr. Cureton in 1845. This work of Petermann, and the Corpus Ignatianum, published in the same year by Mr. Cureton, (London, 1849, one volume in large octavo) are the most valuable contributions made to the Ignatian literature for many years. The publication of Cureton's work in 1845 (the ancient Syriac version of the Epistles of St. Ignatius, &c. &c.) excited considerable attention. The celebrated chevalier Bunsen wrote his *Die drei achten und die vier unächten Briefe des Ignatius, &c., &c.*, and his *Ignatius und seiner Zeit, &c.*, while Dr. Bauer, of Tübingen, replied, attacking the genuineness of the Syriac epistles in his *Die Ignatianische Briefe und ihrer neueste Kritiker*. Prof. Murdock has published a valuable translation of Cureton's Syriac text of the three epistles of Ignatius, in the New Englander for November, 1849, accompanied by some remarks characteristic of that learned and candid scholar.

We are a little surprised to find Dr. Fricke, in a note at the end of his history, saying that the genuineness of the text which Cureton and Bunsen seek to defend is generally regarded in Germany as untenable. The three Syriac epistles are characterized as merely extracts. *Adhuc sub judice lis est.*

III. *Jahrbücher der biblischen Wissenschaft von Heinrich Ewald, Erstes Jahrbuch*, 1848. Gött. 1849, 8vo. pp. iv. & 220.

IN this work the author designs to give a report of the annual doings in the department of biblical literature. The present volume contains essays on the present condition of biblical science; review of the works in that department which appeared in 1848; an explanation of the early history of the Bible, (*biblische Urgeschichte*); history of freedom in Israel; origin of the gospels; on the shortness of the Bible-word, (*Kürze des Bibelwortes*), the Assyrio-Hebrew punctuation, and on a knowledge of the Apocrypha, with a treatise on the Phœnician inscription lately discovered at Marseilles. These essays are from the unwearied pen of Prof. Ewald, and exhibit his well known peculiarities.

*Geschichte der Denk-und Glaubensfreiheit in ersten Jahrhundert des Kaiserschaft und des Christenthums. Von Dr. W. Adolf Schmidt; ausserordentlichen Professor der Geschichte in der Universität zu Berlin.* Berlin: 1847. 8 vo., pp. VIII. and 456.

A learned and valuable book, containing a faithful account of the intellectual, moral and religious condition of the Greeks and Romans at the time spoken of.

---

*Holbein Pictoris Alphabetum Mortis, &c., &c.* Köln, Bonn and Brüssell: 1849. 12mo.

This little volume contains 14 wood cuts of the letters in Hans Holbein's celebrated dance of death. The text is in Latin and German. It is a work of rare beauty.

---

*Beati Patris Francisci Assisiatis Opera omnia, secundam editionem Lucae Waddingii, denuo edidit, cantica ejus a H. CHIFFELLIO, et JAC LAMPUGNANO, latine et utraque a FRID. SCHLOSSERO Germanice edita recepit, vitam a Sancto BONAVENTURA concinnatam textu recognito adjecit Joh. Jo- von der Burg, Vicarius Ecclesiæ St. Martini Bonnensis, &c., &c. Coloniae, &c., 1849. 12mo., pp. xii. and 429.*

THIS is a neat and convenient edition of all the works of the famous St. Francis d'Assisi, which have not been reprinted, we think, since 1723. Bonaventura's Life of the Saint is also reprinted, but we are sorry the earlier life, by his disciple, Thomas de Celano, was not also given, as also the later one by Suysken, both of which contain some curious particulars; but neither of those authors was a saint.

---

#### LIST OF NEW PUBLICATIONS RECEIVED.

Reverberations. Part Two. London. 1849. 12mo. pp. VI and 107.

Philo an Evangelist. By the author of "Margaret, a Tale of the Real and Ideal." Boston. 1850. 12mo. 244. [This contains some sentiments and ideas which appear in Margaret, and though in form not so poetical or so pleasing as in the earlier work, it contains much that is humane, if little that is poetical.]

The Birds of Aristophanes. With Notes and a Metrical Table. By C. R. Felton, Eliot Professor of Greek Literature in Harvard College, Cambridge, Mass. Cambridge: 1849. 12mo. pp. XVI. and 228. [A neat and convenient edition of this charming drama. The notes are, in general, well studied and suitable for the use of young men at College. Mr. Felton, with the aid of

Prof Agassiz and Von der Mühle has brought the science of ornithology to illustrate the text of Aristophanes.]

*Visions and Voices.* By James Staunton Babcock, with a biographical sketch of the author. Hartford and New York. 1849. 12mo. pp. VI. and 240. [Mr. Babcock appears to have been a studious and amiable man of considerable promise, who died at the age of 32. The volume contains poetical pieces of a pleasing form, and animated by a kindly and loving spirit.]

*Elfride of Guldal, a Scandinavian Legend; and other Poems.* By Marks of Barhamville. New York and Philadelphia. 1850. 12mo. pp. 8 and 786.

*Poems,* by S. G. Saxe. Boston: 1850. pp. VIII, and 190. [Most of these poems have been published before. They are remarkable for verbal wit, and singular adroitness in the use of language. The most original piece, it seems to us, is the poem called "Boys," pp. 81.]

*The History of England, &c., &c.,* by David Hume. Boston: 1850. 12mo. Vol. VI., pp. XVI. and 554. [This volume concludes the Boston edition of Hume's History of England, with the Index. It is well printed, and in a convenient form. The whole work costs but \$3.75.]

*The Second Advent, Or what do the Scriptures teach respecting the Coming of Christ, The End of the World, The Resurrection of the Dead, and the General Judgment?* By Alpheus Crosby. Boston: 1850. 12mo. pp. 173.

*The Life and Religion of Mahommed, as contained in the Sheeah traditions of the Hyât-ul-Kuloob; translated from the Persian,* by Rev. James L. Merrick, eleven years missionary to the Persians, — Member of the American Oriental Society. Boston: 1850. 8vo. pp. XVI. and 500.

*The War with Mexico Reviewed.* By Abiel Abbot Livermore. Boston, 1850. 12mo. pp. XII. and 310. [A book worthy of the praise it has received.]

*History of the Town of Winchendon from the Grant of the Township by the Legislature of Massachusetts, in 1735, to the present time.* By Ezra Hyde. Worcester, 1849. 12mo. pp. 136.

*The Stars and the Earth, or Thoughts upon Space, Time and Eternity.* First American from the third English Edition. Boston, 1850. 16mo. pp. 88.

*A Few Thoughts for a Young Man: a Lecture delivered before the Boston Mercantile Library Association, on its 29th anniversary.* By Horace Mann the first Secretary of the Board of Education. Boston, 1850. 18mo. pp. 84.

*The History of the Decline and Fall of the Roman Empire.* By Edward Gibbon, Esq., with Notes by the Rev. H. H. Milman, &c., &c., A new Edition, to which is added a complete Index of the whole work. In six volumes. Boston, 1850. 8vo. Vol. I., pp. [iv and 590.]

*The Sea-side and the Fireside.* By Henry Wadsworth Longfellow. Boston 1850. 12mo. pp. IV. and 141.

*Der Neue Machiavel, Ein Buch für Fürsten aus den Papieren eines gefallenen Ministers:* Manuscript aus Wien. Leipzig 1849. 12m. pp. 78.

#### PAMPHLETS.

*Circassia; or a Tour to the Caucasus.* By George Lighton Ditson, Esq. New York and London. 1850. 8vo. pp. 16 and 453.

[The author says little about the country he visited, but states some particulars hitherto unknown concerning the dress and manners of a people who are seldom visited by Europeans or Americans.]

*William Penn and Thomas Babbington Macaulay; being brief Observations on the Charges made in Mr. Macaulay's History of England against the Character of William Penn.* By W. E. Forster. Revised for the American Edition by the Author. Philadelphia. 1850. 8vo. pp. 48.

[This work is the result of a good deal of research, and seems to be written with candor and plainness. It certainly relieves Mr. Penn from much of the obloquy cast upon his memory by Mr. Macaulay.]

*The Tongue; Two Practical Sermons.* By T. W. Higginson, Minister of the First Religious Society in Newburyport. Newburyport. 1850. 8vo. p. 18.

[Two wise and pertinent sermons.]

Lecture, introductory to the Course in the Starling Medical College, of Columbus, Nov. 7th, 1849, for the Session of 1849-50. By R. L. Howard, M. D. Professor of Surgery. [Published by the class.] Columbus. 1850. 8vo. 25.

The True Cause of the Cholera explained, with appropriate Directions relative, to Diet, Treatment, and Disinfectants. Also the Cause of the Potato Rot explained, with directions how to prevent it. By Thomas White. Cincinnati. 1850. 8vo. pp. 48.

Eighteenth Annual Report presented to the Massachusetts Antislavery Society. By its Board of Managers, Jan. 23d, 1850, with an Appendix.

The Massachusetts System of Common Schools; being an enlarged and revised edition of the Tenth Annual Report of the first Secretary of the Massachusetts Board of Education. Boston. 1849. 8vo. pp. 212.

[This is a valuable edition of Mr. Mann's celebrated treatise on the Common Schools of Massachusetts.]

Thirteenth Annual Report of the Board of Education, together with the thirteenth annual Report of the Secretary of the Board. Boston, 1850. 8vo. pp. 51. XXXVIII. LXIII and II.

[There are 215,926 children in Massachusetts between 4 and 16, the mean average attendance upon school is 134,734, or a little more than 62 *per cent.* of all the children in the State. It costs \$836,070.69 to pay the teachers, and \$35,281.64 for the fuel in the schools, and the board of the teachers. The county of Suffolk raises annually by taxes \$10.32 for each child between 4 and 16, and the county of Berkshire only \$1.96. Boston pays \$10.65 for each child, and Salem only \$4.28! There are two towns which pay only \$1.25 a year for the education of each child in the town. These are the names: SAVOR, and ASH-FIELD Warwick pays \$1.25 and 8 mills.]

Proceedings of the National Convention of the Friends of Public Education; held in Philadelphia, October 17, 18, 19, 1849. Philadelphia, 1849. 8vo. pp. 40.

The Public Education of the People, an Oration delivered before the Onondaga Teachers' Institute, at Syracuse, N. Y., on the 4th of October 1849. By Theodore Parker. Published by request. Boston, 1850. 8vo. pp. 50.

A Sermon on Immortal Life, &c., &c. By Theodore Parker, &c., &c., second edition. Boston, 1850. 1vo. pp. 32.

Fifteenth Annual Report of the Board of Directors of the Young Men's Library Association, of Cincinnati. January 2, 1850. Cincinnati, 1850. 8vo. pp. 24.

Association for the Relief of aged indigent Females, incorporated April 30th, 1849, organized October 17th, 1850. Boston, 1850. 12mo. pp. 13.

Address delivered at the colored Department of the House of Refuge, by Hon. William Kelley, on December 31st, 1849, &c., &c. Philadelphia, 1850. 8vo. pp. 24. [This address shows that an effort is making in Philadelphia also, to take children from the streets and educate them for useful citizens, not leaving them to the vengeance of the jail.]

Tea and the Tea Trade. Parts I and II., as published in Hunt's Merchants' Magazine. By Gideon Nye, Jr., of Canton, China. New York, 1850. 8vo. pp. 27.

Singular Revelations. Explanations and History of the mysterious Communion with Spirits comprehending the Rise and Progress of the mysterious Noises in western New York, generally received as spiritual Communications. Auburn, N. Y., 1850. 8vo. pp. 81.

A Discourse delivered January 1, 1850, upon the fiftieth Anniversary of his Ordination as Pastor of the First Church in Plymouth. By James Kendall. Plymouth, 1850. 8vo. pp. 24.



# MASSACHUSETTS QUARTERLY REVIEW.

NO. XI.—JUNE, 1850.

---

## ARTICLE I.—ON THE NEW TENDENCY OF THE

---

[*Prin-  
s Ferdi-*

*Von  
Natural*

ART. I. ANONYMOUS.

II. FREDERIC HOWES.

III. MAJOR PELT. (Leipsic.)

IV. JOHN WEISS.

V. THEODORE PARKER.

*odowej.  
By the*

*at Mar-*

[*Art  
same.*]

*Paris,*

THE Polish nation possessed, during a thousand years, a larger country than modern France, between the Baltic, the Black Sea, and the Carpathian Mountains. There civilization and learning flourished brighter than elsewhere, in the 15th and 16th centuries, under the free institutions and wise government of the Jagellon dynasty. They sheltered, by their protective shield, numerous families which were persecuted, on account of religious and political freedom, in the rest of Europe. They served as a bulwark against the frequent encroachments of the Asiatic hordes, while Europe wanted to organize herself and develop her civilization and military power. This Polish nation exists no more as a body politic.





# MASSACHUSETTS QUARTERLY REVIEW.

NO. XI.—JUNE, 1850.

---

## ARTICLE I.—ON THE NEW TENDENCY OF THE POLISH-SLAVONIAN PHILOSOPHY.

1. *Grundlage der Universellen Philosophie.* [*Principles of the Universal Philosophy.* By Bronislas Ferdinand.] Karlsruhe, 1837. 1 vol. 8vo.

2. *Norstudien zur Wissenschaft der Natur.* Von Trentowski. [*Introduction to the Studies of Natural Sciences.*] Leipzig, 1840. 2 vols. 8vo.

3. *Chowanna ezyli System Pedagogiki Narodowej.* [*Education, or System of National Pedagogy.* By the same.] Pozen, 1842. 4 vols. 8vo.

4. *Aforyzmy o Matzeristwie.* [*Aphorisms about Marriage.*] Pozen, 1842. 1 vol. 8vo.

5. *Mystini oxyli Calokertall Loiki Narodowej.* [*Art of Thinking, or System of National Logic.* By the same.] Pozen, 1844. 2 vols.

6. *Urywki Polityorne.* [*Political Fragments.*] Paris, 1845. 1 vol. 8vo.

THE Polish nation possessed, during a thousand years, a larger country than modern France, between the Baltic, the Black Sea, and the Carpathian Mountains. There civilization and learning flourished brighter than elsewhere, in the 15th and 16th centuries, under the free institutions and wise government of the Jagellon dynasty. They sheltered, by their protective shield, numerous families which were persecuted, on account of religious and political freedom, in the rest of Europe. They served as a bulwark against the frequent encroachments of the Asiatic hordes, while Europe wanted to organize herself and develop her civilization and military power. This Polish nation exists no more as a body politic.

She was offered by the same Europe, as a bloody sacrifice, to three executioners, who have dismembered her, appropriated to themselves her limbs ; and they now keep powerful armies in order to put down every noble movement, to stifle every spark of freedom, and to persecute and banish the patriotic sons of the once glorious though imperfect Polish Republic.

From that time, while the triumphant Goddess of Freedom, in her new home, on this side of the Atlantic, blesses her children with comforts and happiness, the spirit of the Polish Republic continues to fight against her oppressors with the power of truth, justice, and liberal ideas.

However, Poland did not perish when her numerous sons chose rather to endure exile and persecutions than to promote the retrograde tendencies of her enemies. The rich Polish literature, spreading its intellectual and moral influence over all the Slavonians, like that of the ancient Greeks, will be able to vanquish every external oppressor, and Poland will rise from her grave regenerated, embellished, and more glorious.

Although the literary life and energy of the Poles have shone with a distinguished splendor in the old Polish literature, its scattered rays could not sooner be concentrated into the warm and enlightening modern Polish-Slavonian philosophy and poetry.

Since the more elevated tendency and higher degree of development which the Polish literature has now attained are a consequence of its past history, it may not be without interest to cast a hasty glance at some of its phases.

The history of the Polish literature may be divided into three periods : —

The first extends from the introduction of Christianity, at the end of the ninth century, in the reign of Miaryslas the First, who married a Christian princess of Bohemia, until Sigismund the Third, at the close of the sixteenth century ;

The second occupies the space between Sigismund the Third and the last king Stanislas Poniatowski, when the unsuccessful battle of Poland, against her three powerful neighbors, under the celebrated patriot, Kosciusko, had awakened her inward national life ;

The third represents contests, not only with the sword, but still more with the pen, and extends to the great leader of the Polish-Slavonian philosophy, Trentowski, who gave a new and great impulse to the literary movement, not only in Poland, but in all the Slavonian countries.

During the first dynasty of the Piasts, Polish-Slavonian literature was emerging slowly from under the foreign influence of the Latin language and Roman clergy. It appeared mostly in national songs, and poetry, flowing from a cheerful heart, which loved nature, freedom, and God. But, with the establishment of the University of Krakau, at the end of the 14th century, by the first of the Jagellons, who married Edwige, the queen of Poland, it took a bold, free, and national flight, and, under the paternal care of his dynasty, and liberal institutions, reached such a development as to merit the title of the *Golden Age*.

Among many genial and profound writers, historians, statesmen, and poets — like Gornicki, Rey of Naglowie, John Kochanowski, and others — it is enough to mention a pupil of the University of Krakau, Nicolas Kopernik, known to the scientific world by the solar system.

In the following period, however, there began an animated quarrel between the University and the Jesuits, about the control of public education, which was to be divided equally between the struggling parties, as is now the case in France, with regard to the University of Paris and the Catholic clergy.

Although an able defence of the University of Krakau was made before the king, in the Council of State, by its high-minded Rector, Neymanouwir, — who, like the true mother in the judgment of Solomon, was willing to leave undivided possession of it to the Jesuits, — and a complete triumph was obtained over the enemies of liberty, light, and progress, nevertheless, Sigismund the Third, who had been a pupil of the Jesuits, favored them, by every means, in undermining the influence of the University and in obtaining control over both public and private education. With the support of Rome and that of the high Catholic clergy, it was an easy task to succeed; the more so, as the great moral and intellectual power of the Polish Protestants was weakened by their divisions and their different sectarian tendencies.

Though a gloomy, yet it is a very instructive period in the Polish history, to the American people at large, because it is an historical fact that the lives, energy, and activity of the free Republic, imprisoned within unintelligible dogmas and scholastic formulas, under the controlling influence of Rome and that of the Jesuits, could not but have burst out into blind passions and anarchy. From this influence have resulted tyrannical decrees against the Unitarian Protestants and their celebrated

schools; libraries and printing offices were shut up and destroyed; but the memory of their virtues, science, and exertions lives until now among intelligent families. From this cause, also, proceeded the religious contests, supported by Sweden, the civil wars with the Cossacks, and, finally, there followed a rapid decline, which led to the downfall of the exhausted and distracted Republic.

Amidst so many misfortunes, the energy, devotedness, and sacrifice of the Poles continued to shine forth in deeds, if not in literature; and their exploits, under John Sobieski, at the close of the 17th century, bear evidence to this assertion; but their inward eye was clouded, and both intellectual and spiritual darkness spread over all the nation. There were, in this period, many eminent writers and authors, but they had little influence on the national life and progress, as they wrote mostly in Latin, a foreign language. Intellectual night covered Poland, and the nation continued lost, for a length of time, in the lethargy of ignorance and superstition. But there arose a great and noble patriot, Stanislas Konarski, who, seeing his country enslaved to Rome and the Jesuits, stood forward as a champion against the servants of internal slavery. He undertook boldly to reform the national education; and to this end travelled all over Europe, wrote many valuable books, and established a college at Warsaw, in order to form good, virtuous, and enlightened citizens, who might become patriots devoted to their country. Supported by many distinguished families, he triumphed over sophistry, ignorance, and superstition, but only to sound an alarm against danger threatening from abroad. Many writers took up their patriotic pen, and shed a lustre, both in prose and in verse, upon the Polish-Slavonian literature. They wrote in the Polish language, but still, in literature, did not throw off the yoke of foreign influence of the age of Louis the Fourteenth. Notwithstanding, there is a visible tendency towards the Polish-Slavonian originality and genius. The struggles for national independence under the celebrated patriots Pulaski, in 1770, and Kosciusko, in 1794, though unsuccessful, did not fail to awake and stir up the nation to new exertions of intellectual life; and this the more so, as the discussions at the National Diet resulted in the reformed and progressive constitution of 1791.

The last period was opened by those glorious exploits which reddened the battle-fields of Europe with Polish blood; but the literary movement, promoted by the three universities of War-

saw, Nilnuo, and Krakau, soon enabled the Poles to develop their inward life, energy, and power. An enkindling spark was not wanting, and the internal fire burst into flames in the national insurrection against the tyrannical government of Russia, in 1830.

Though the war was disastrous, though Poland was prostrated, nevertheless, she gained an intimate conviction of her high moral and intellectual mission among the Slavonians, and the sympathy of all civilized nations. The flower of her youth and nobility, banished from their home, are wandering in different countries; and, while studying foreign institutions, are striving to prepare their countrymen, and the Slavonian people, for future regeneration.

This hasty survey of the history of Polish literature is intended to show its new tendency. A new spirit has already pervaded the entire people of Poland. However, it did not come to consciousness, and reveal itself in a complete system, until now, when Poland is attempting to defend her holy mission on philosophical and literary ground.

To give an idea of this new tendency, we introduce to the American public one of the best living Polish writers, and a leader of the literary movements, which will excite no less interest in the new world than in the old.

Bronislas Trentowski, born in Poland, in the beginning of our century, having completed his philological studies in the University of Warsaw, assumed the profession of public teacher when the revolution broke out in the year 1830. He served with honor the national cause, as a soldier, and afterwards, studying and teaching in Germany as an exile, was called to the chair of Philosophy at Freiberg, in the Duchy of Baden, where he triumphantly withstood repeated and violent attacks from all the batteries of sophistry directed against his system by the Jesuits of Freiberg, in Switzerland.

His principles of philosophy have been made known to the German public in the work named above, "*Principles of Universal Philosophy*." His later works, written in the Polish language, on Logic and Pedagogy, and those about Nature, Politics, and God, contain the full development of his system.

We do not now intend to make a minute analysis of these works, interesting as it might be, but to present a general outline, embracing the fundamental principles of his philosophy, applied to the civilization of the whole Slavonian race.

If this article be acceptable to the free and enlightened

American public, we shall be encouraged to publish, subsequently, his analysis of man's faculties with regard to education, instruction, and enlightenment. But we now sketch what we have intended.

Professor Trentowski, in his *Political Fragments*, says to the Slavonian people as follows : —

“ Until now, only two worlds were generally known and investigated, *the real and ideal*; or materialism and spiritualism; historicism and radicalism; hierology and libertinism; Roman catholicism and German protestantism; the dead confirming and the vain protesting; in a word, empiricism and speculation. To the first of these worlds, that is to empiricism, the Roman race in Europe has paid homage for centuries; to the other, that is to speculation, the German race has devoted itself. Both these worlds, looking into them attentively, present themselves partially, and constitute a dualism, the confirming and the protesting, which are everywhere and always a vain and worldly struggle of oppositions; they belong to the earth only, and do not pass beyond its limits. To the Slavonian race, which till now, as a large plant burdened with a future flower and fruit, grew peacefully, and did not work out its own spirit, was destined the third world,—that is *divine*, whose essence is eternal, unchangeable, medullary truth, being the unshaken foundation of the real as well as of the ideal world. This world is essentially actual, a true liberalism, a pure religion, engraved by God himself on the human heart, and revealed by his beloved Son Jesus Christ; not the Roman, nor the German, nor the Greek, but the Christian catholicism, the living Word of God, expressed by the lips of a true image of God,—in a word, the God-man's philosophy.

As God is master of universal matter and universal spirit, so the human soul is a mistress of the body and its spirit. Body and spirit are servants of the divine force, or soul, aiding it to work out and manifest its divinity in time. The soul is a strong will, unshaken, enterprising, divine action, conscience, and character. Human destiny, with regard to the soul, is to work out itself as well generally as individually, and attain to the divine human state.

Let the Roman race pursue only industry, and drown itself in the depth of materialism; let the German race run after a pure and sterile thought, a speculation full of visions; — to the Slavonian race there smiles from heaven a divine action. To comprehend and to accomplish it is true wisdom. Let the Roman race found the *kingdom of Satan* on the earth, and the German race the *kingdom of the Angels*; — the Slavonian race has to establish the *kingdom of God*. The divine and moral power, whose forces are God in heaven and man on the earth, is the queen both of

materialism and spiritualism in all the universe. The Polish-Slavonian race, manifesting itself finally, today, as a divine and moral force in Europe, must have an advantage over the Roman race as pursuing mostly materialism, and over the German race as living in speculation."

This general view of the dispositions and tendencies of different races in Europe may be regarded by the American public as a presumption and an hypothesis difficult to be proved. Trentowski's leading idea, however, is that the two opposites in this dualism are but temporary agents, and ought to work in harmony for their master, and for the third divine world; in which he invites the Slavonian race to become workmen. He believes that this third divine world changes the present system of philosophy, science, and all learning; that it explains a profound Christianity, from a new and most important side, and throws a fertile seed into theology and polity; that it awakes in the Slavonian people their own feelings, and prepares them to triumph over their oppressors; that it puts, finally, the Polish nation, as such, for their chief, by whose lips is expressed a new thought and a word for their salvation; and that every thinker, watching the movements of ideas in Europe, will agree to these assertions.

"Both nation and man," says Trentowski, "are compounded of body, spirit, and the soul; in body, dwells a physical force, that is, an animal force and vegetable health; in spirit, dwells a metaphysical force, that is, thinking, knowledge, science, learning, talent, genius; in the soul, finally, dwells a moral and divine force, that is, strong will, unshaken enterprise, bold action, and readiness to sacrifice, and devotedness, an ardent love of truth, virtue, holiness, liberty, conscience, — in a word, character. The soul, this immortal though created deity, is, in us, an arbitrator and mistress; body and spirit are only her temporary laborers, her servants. The soul, as divine power, considers death, not as an enemy, but as a friendly angel, who calls us to our new birth, and leads us into the better, eternal, and true world."

According to this direction of the Polish-Slavonian philosophy, Trentowski sets forth a new principle, as a moral standard, and cries out to the Slavonian race, and especially to his own nation —

"Let us leave to the Roman race utility, this merely good empirical, which the Roman church, and the political powers, infected with her Machiavelish spirit; which the tiara and the present crowns have possessed; and what is noble as a speculation only,



this metaphysical good, let us leave to the German race;—for the Slavonians, and especially for the Poles, God has reserved duty, which is useful as well as noble, and leads to the highest true good alone. The Slavonian, then, and the Pole who will have brought himself to the inward knowledge that he is a created deity, whose totality is God himself, will disdain the animal force, and the diplomatic or rather satanic wisdom of his enemies, and will be united with God, that he may partake of his omnipotence! His divine nature, like that of God himself, is truth, beauty, virtue, holiness, liberty, light, law, and knowledge of himself. He will then permit himself to be crucified for truth, beauty, and virtue, for holiness and liberty. Devotedness and self-sacrifice are his duty. He cannot fear death, because the soul, as immortal deity, cannot die. It is better to expire a hundred times under the knouts of enemies, by the most cruel death, than to degrade his divine nature by the yoke of slavery. The Pole ought to be for his oppressed fatherland, and Slavonia, what Jesus Christ was for all the human race. The Polish-Slavonian people must suffer much, because they have a high mission in the world; that is, to reveal and realize the kingdom of God on earth."

We can account for the application of these views, by a Pole, to his own country, as possessing a higher civilization and more rich literature than that of the other Slavonians.

Let us hear for a moment Trentowski's ideas with regard to religion and politics:—

"Religion and politics," says he, "are two separate and wholly independent inherited possessions of human deity. Religion draws up the soul to heaven, politics attract it to the earth; the first seeks after God, the second after humanity; the one looks to what is there, the other to what is here. Religion aspires after the eternal salvation of individual persons, politics after the present happiness of humanity or that of a certain nation; Religion relies on the love of God, politics on that of our neighbor. Religion leads man from the earth to heaven, and politics desire to draw to him heaven on earth. The end of religion is holiness, that of politics is freedom. Religion and politics are two sisters of divine birth, they stimulate us to virtue and self-sacrificing devotedness; but they cannot be united by violence into one conception, because the one is heavenly and the other earthly. Religion has its end in itself; he, then, who transforms it into a political instrument, degrades it, inexpressibly, and offends his Father in heaven, for it implies making God a human servant, and using the most holy thing for a worldly power, somewhat as money. Such a man is an Asiatic; because in Asia, for instance, in Japan, China, even in the Mohammedan Persia and

Turkey, religion has been eternally made subject to politics. Such a man is a pupil of the Athenian tyrant and sophist Critias, according to whom gods are a political invention, and stand under the order of men wielding the earthly power. Such a man — like the Emperor of Russia — wishes to use religion for an instrument of his despotism, and he can easily become a worshipper of his Mongolish wisdom. Religion is holy; then it is a great sin and offence against God to change it into a political instrument.

“But politics have an end in themselves; he, also, who wishes to change politics into a religious means only, violates the human law, prepares the road for the abominable sway of theocracy and sacerdotal tyranny, and, under the cover of holiness, tramples freedom under foot. Such a man is equally an Asiatic, because, in Thibet, for instance, and all Mongolia, politics are the slave of religion. The popes of the Middle Ages, having thrown politics, or the state, under the feet of religion, transformed themselves, instantly, into the European Dalay-Lama, and prepared their own downfall. Between the pope and the Emperor of Russia is this difference: that the former strives, in all Europe, to make politics a slave of religion, and the latter makes religion a slave of politics. The identifying of religion with politics is in both cases the Asiatic, and the acknowledgment of their mutual independence is the European principle, and eminently that of the American Republic. Church and state are in the same relation to each other as spirit and body, and only such oppositions as spirit and body are able to inter-penetrate each other reciprocally, and create a sound and harmonious unity.

“If we turn our attention to these three technical words, historicism, radicalism, and liberalism, the same confusion of ideas will disappear as soon as we shall have explained them according to the above principle.

“Historism and radicalism,” says the Polish philosopher, “are two opposite manifestations; but, acting in harmony, produce a total divine truth of liberalism. Historism with radicalism, as body and spirit, as the past and the future, ought to pervade each other freely and independently, but never struggle, as enemies, for an absolute empire; as they both ought to be friendly servants of liberalism, which is their living master, an image of God.

“The followers of historicism proclaim that the state is an institution of God; but they are wrong; because man is a free being, as God himself, and freedom cannot be either absolutism or slavery. If the state were an institution of God, God would be similar to the absolute emperor, whose orders create a social world; and man would be a slave, a being without will, a brute animal. Are, then, such states as ancient Babylon and Persia, mod-

ern Japan and Russia, institutions of God? No! they are institutions of man. What the past created, and what, in its time, could be useful and necessary, the same becomes a vile and criminal absolutism, in relation to the present time, which cannot be stopped in its progressive course; and such an institution of God is a tyranny worthy of public disdain. The people who live in the present time have their own free will and natural ability for self-government, self-legislation, or autonomy. Such men of history as are aiming at their own advantage are egotists and Satans, and their institution of God, speaking properly, is an institution of Satan.

"The followers of radicalism tell the world that the state is the result of reciprocal agreement and free contract. In the beginning, as they affirm, people lived in a continual war among themselves; when tired, they must have formed an alliance in order to secure their lives and property. Thus, fear for their lives has been father of the state! This explanation would be excellent, were man a brute animal, — for only the brute animals live in a continual war among themselves. But how could the human animals be able to enter into an alliance so far as to establish a state, since, from the beginning of the world down to our days, no species of animals has done it? It is as superficial and partial a doctrine as any one of those now repeated from Hobbes and Rousseau; it shocks my humanity, and cannot be proved, either *a priori* or *a posteriori*. Every people, as a nation, has its own language, its own thoughts, feelings, virtues, morals, and customs; a thousand qualities, higher than all political contracts, preceding them, being their substantial foundation, and connecting men by the power of common love, but not common enactment — by heart, not parchment. As inclination to society is general, so ability to create a state is innate to humanity. The human races, spread upon the earth, working out by themselves this natural ability, or what lived and vibrated in them, *in potentia* changing into *in actu*, have connected themselves in various states. Whence came the innate ideas of humanity? From the source of all talents, genius, and abilities, that is, from God. God breathed into human nature the power and inclination to form a state. From this point, that is, in the last principle, the state is truly an institution of God. Man himself, however, develops the spark God has gifted him with, and creates his own world, wise or foolish, good or bad, according to the degree of his education, instruction, and enlightenment. Genius and talents, given to us by God, manifest themselves by their own power alone. The same may be understood of the innate ability in man to form a state. Then the state is a product of human nature; it is an institution of God only as possibility, only before manifestation, or *in potentia*; but it is a human institution, and the result of recipro-

cal agreement, and free contract, as reality, or *in actu*. The doctrine of historism unites here with that of radicalism, creating in harmony a true liberalism."

To explain more fully the fundamental principle of this new system, we proceed farther, in its application to man's faculties and character.

We will show here, as concisely as possible, and that only from recollection, Trentowski's analysis of the faculties and character of the man and woman, in his curious aphorisms about marriage, where he maintains that, though the immortal soul has the same divine nature in both sexes, still, the two temporary phases in them are in inverse ratio and attractive oppositions; that is, man outwardly is real and inwardly ideal, but woman outwardly is ideal and inwardly real. It will suffice, however, for our purpose, to cast a rapid glance at his account of the faculties and character of man.

Since man is compounded of body and spirit, two opposite tendencies serving the third divine power, in order to enkindle in him a spark of God, and to form his character, public attention ought to be turned to the development of physical force, or the muscular system, and to that of the mental faculties; and by this means to form man's character, which is to love truth, virtue, liberty, and duty above all things, as God himself; to be a visible image of God on the earth, and a self-creator, self-governor, in his own domain, in his social organization. But, to develop man's faculties, it is necessary to know them in their natural order and action.

As man is compounded of three principles — body, spirit, and the soul; or physical, ideal, and divine-moral force — so his faculties are divided into three natural classes. Man's character may be analyzed into wisdom, magnanimity, and spontaneous energy; or man's head, heart, and virtue. Wisdom is a sweet water, running, from three sources of our knowledge, into three rivers; empiricism, speculation, and philosophy.

"I. The senses are the first source, and give us impressions, the first knowledge: *Sentio, ergo res est, atque res sum*. This is an epoch of empiricism. The inward sense, or imagination, changes the sensual impressions into the first ideas, *a posteriori*. Imagination, retaining these ideas, is memory. These ideas retained in memory, and recalled in thought, at will, are recollections. The union of imagination with memory is understanding. The union

of ideas with memory is intelligence. Wit, humor, and acute sagacity are shadowings of understanding and intelligence. Imagination, memory, and understanding are of a passive nature; their object is the matter, or outwardness, of existence. Therefrom comes a wisdom only real, only animal, only concerning the body.

Fancy is the polar opposition, or the spirit of all the senses and imagination; thus, it creates ideals, as the spirit of common ideas, or ideas *a priori*. Judgment is the fancy of a higher degree, or the fancy purifying its ideals from dreams and changing them into sentiments. Judgment is the spirit of memory, and sentiment is that of recollections. Judgment is the fancy of creative power. The union of fancy with judgment constitutes reason. Reason is the spirit of understanding. Understanding is an analysis, reason is a synthesis. Understanding is the highest passivity, and reason is the highest activity. The object of understanding is an outwardness, that of reason is an inwardness. Reason is the father of ideas, *a priori*, of pure thoughts, of speculation. Fancy is a poetic, judgment is an æsthetic, reason is a metaphysical witticism. All three are of creative nature, are activity, are spirit itself, in various degrees of development. The senses are the first source of our knowledge. Sense sees the visible world.

Reason, as the opposite of sense, is the second source of our knowledge. Reason sees the invisible world. Reason says: *Cogito, ergo cogitatio est, atque cogitatio sum*. Upon this basis is founded the speculative world, from Xenophon to Hegel, which is only ideal wisdom, only spiritual, negative, and protesting. The following faculties unite those of polar oppositions.

Attention is the harmonious union of all the senses, and of their focus, or imagination, with fancy. It leads to observations, and relates to both the visible and invisible world, or the true, living, divine, total one.

Reflection comprehends form and substance; the source of mathematics; it is the harmonious union of memory with judgment, or it is the attention of a higher power. It leads to abstractions or figures, to axioms, and relates to both the real and ideal world, or the existing, living, divine, total one. Its object is not a substance, but a form.

Perceptive mind is the father as well of sense as of reason, or of empirical and of metaphysical thinking; it is the fusion of attention and reflection, and the harmonious union of understanding with reason. It leads us to conceptions or comprehensions, or to the close union of intelligence with pure ideas; also, to that of observations with *axiomata*, or what was once called *acroamata*; that is, to the truth; living, divine, total, and existing truth. Perceptive mind, being the harmonious union of sense with reason, is the third, the last, or the true and full source of

our cognition ; it is the father of philosophy ; a true eye for the truth. Sense sees only the outward, reason the inward world. Perceptive mind sees both together, or totality. Sense knows *a posteriori*, reason *a priori*, perceptive mind, *a totali*. Perceptive mind says : *Vivo, ergo vita, mundus, libertas, numen est ; ergo vita, mundus, libertas, numen sum*. Sense is a passivity, reason is an activity, perceptive mind unites both together, or it is a spontaneity. Sense belongs to body ; reason to spirit ; perceptive mind to both body and spirit together, or to the moral and divine force. Our moral and divine force has for its object both the spiritual and the physical power. Perceptive mind is the eye, through which the sun of existence looks into it. Wisdom of the perceptive mind is confirming and protesting together, or uniting the extremes, and representing totality, fulness, harmony ; then it leads to the full truth. Attention, reflection, and especially perceptive mind ought to be exercised by us, in order to have the full, total, and living wisdom.

II. Magnanimity of heart. The love of neighbor, without limits and condition, is the first sign of magnanimity. Magnanimity is followed by nobleness, greatness, and sublimity. Another quality of a great heart is the conquering of self-love ; not as an individual being, but as belonging to society and humanity ; as Socrates, who took poison for the love of truth. Magnanimity commands us not to love life too much, because our divine and eternal soul cannot perish. He who knew, felt, and did most, lives longest, as Galileo, Huss, Wicliff. Selfishness is a proof that our deity forgot this relation to God and became insane. Head and heart, separately taken, are obvious oppositions ; if head is an affirmation, heart will be a negation. The union of head with heart creates the fire of the soul — action, energy.

III. Spontaneous energy. Head without action, and heart without action, are dead. Spontaneous energy is wisdom and magnanimity melted together into action. He has no character who has only a wise head ; nor has he who possesses a great heart alone. Even a good head and a great heart, taken together without action, do not constitute man's character. Spontaneous energy alone is character. Character is a man's virtue. Spontaneous energy, possessing the essential character, is a self-acting energy, to wit : a divine being, living in the world, a sovereign. Three roads lead to character : empiricism, speculation, and philosophy, melted in the heart.

Strong and unshaken will is the first sign of character, because man's character is a self-acting energy, and belongs not only to head or to heart alone, but to both together. Strong will is an omnipotence of a godlike man ; he who possesses it does wonders. Our good and true will is the will of deity in our breast ; then it is divine, then it is free.

Freedom, therefore, is the second sign of character. He who takes away our freedom tears out from the breast our deity and kills our entire being, because freedom is the soul of man and belongs to God. In nature reigns a fate, but it is always obedient to the will of God, and very often to that of man. God is King of nature; man is his lieutenant. If a man has the same will with God, his voice is omnipotent; to him the elements give homage. *Vivo, ergo liber sum, ergo libertas est.* Freedom, acknowledging another freedom, behind itself, and treating it with kindness, as its own sister, is morality. The aim of morality is both usefulness and nobleness together. Man without character possesses neither will, nor freedom, nor yet morality; his virtue is intrigue; the school of life is his wisdom. The reverence of our own laws as the free emanation of our will is the evidence of a good character. Sincerity proves the good will and independence of character; and only the open character becomes virtuous, and ought to be worthy of its own divine original.

Constancy, never broken, is the third and the last basis of character; it is a noble confidence in ourselves through our relation to God. But godlike constancy must be distinguished from the dull drowning of our soul in the ocean of materialism, or even in that of pure science. With regard, then, to the above statements, Lycurgus with many legislators, Hegel and other so-called philosophers, fell into error, and every despotism and absolutism is founded upon false principles. It is the greatest honor for man to be a man; it is the basis of true human happiness to know truth as a philosopher, to act as a wise man, and to live as the entire man. Therefore, man's head, heart, and virtue constitute man's character."

Leaving to the judgment of impartial readers the appreciation and farther application of these general principles, we will give, lastly, his idea of moral government in the conquered Poland, and its influence upon the Slavonian people:—

"The Polish Slavonian nation," says Trentowski, in his political writings, "possessing her own language, manners, habits, and literature, fell down, politically, and ceased to be the state, *in actu*, but continues still to be the state, *in potentia*. These men, then, who keep her in the condition of ability to create a new and independent state—who carry, by successive steps, her ability *in potentia* into that of *in actu*, or the institution of God, living in her bosom, into her spontaneous action, compose a moral government. They are guardians of what God himself intrusted to them, priests, in the temple of virtue and holy duty, opposing, as they can, the earthly Satanic force.

To the moral government belong, generally, men of the most

genuine godliness; that is, such as are ready, in every moment, to sacrifice all for fatherland, and so die for the liberty of their nation, as Jesus Christ did for humanity. These patriots may be divided into three kinds:—

Men of the most genuine reality; men of the most genuine ideality; men of the most genuine efficiency. Men of the most genuine reality are the descendants of families that are celebrated, and deserve well of their fatherland; the possessors of estates, capitalists, nobles, burgesses, and all good patriots, given to industry and commerce. Men of the most genuine ideality are excellent writers. These draw out of themselves new ideas; lifting up the nation, they awake her own feelings, advance her on the road of light, progress, and spiritual victory over her enemies; they explain to her the past, the present, and the future; they point out to her the high mission which she has received from God; they work out the national tendency, enkindling the star of a new existence. They are the active spirit of capitalists and possessors, the pure thought of fatherland. Their moral power is greater than any political one. Every genial word is a thunderbolt, breaking down the hardest rocks, diffusing itself as a lightning, and thundering through the length of ages. Our oppressors know this power, recollecting the sentence of Frederic the Second, who said: "Great writers are the most essential and omnipotent governors of the world." They persecute to the utmost those who have taken up a patriotic pen.

Men of the most genuine efficiency are political martyrs, or all those national and blessed saints who groan in prisons or in exile, who die under the tortures of their enemies, and become an example of holy devotedness. Such moral government is omnipotent, as it is divine in its foundation."

To the question, whether Poland can rise from her political grave, Trentowski answers affirmatively:—

"She can do it," he says, "if she seizes upon her ancient mission, but comprehends it inwardly, and enters again on the road pointed out to her by God himself. For the struggle of the European and the American principles with the Asiatic lasts until our days, or rather is carried on with a harder stubbornness than at any former time. If Poland seizes on the European and the American principles, and becomes an apostle of freedom, light, and progress; if she throws away from her bosom the doctrines of Rome and the Jesuits; if she creates her own Christian church, as a branch of Christian catholicism, she will be God's messenger; working for the progress of the world, she will then be necessary to Europe, and all Europe will be with her. What the Asiatic hordes were in former centuries to Europe, the armies of the Russian



czar are at present, composed of these same hordes, but better exercised in military tactics, and inured to battle. Russia was two hundred and forty years under the Mongolian yoke, has been penetrated with Timur-Khanism, and has appropriated its spirit and organization. She represents the Asiatic principle, which has grown stronger by civilized despotism, and now threatens Europe. The Russian czar has power a hundred times more extensive than the arbitrary potentate of Japan, because he unites in himself Kuba and Daira, that is, the unconditional political and religious powers. He commands his subjects to believe that all the earth is his property; that nations combating against him, are seditious traitors to their fatherland. He is king of kings, more than the Chinese czar, a lieutenant of God, and a visible God. His order is a law; before and behind him goes the ancient Babylonish tyranny, the old Persian cruelty and barbarism. Where he walks, there are the weeping and anguish of many years. The Russian czar threatens Europe, for he possesses the greater part of it, and, what is yet worse, he is the powerful pope of that Christian confession which, not only in Russia, but in the countries of the ancient Eastern empire, reckons millions of blind believers. His European possessions, and Christianity, lead the Russian czar to various relations with Europe, and open to him an extensive field for his Satanic, artful doings. He is active, and does not neglect his business. He has already swallowed Poland, and now opens his mouth for Turkey. As many European countries fall under his yoke, in many victories, so much space does Asia gain in Europe. The Russian czar, by his alliance with Austria, — which delights in the arbitrary will and the Asiatic principles, — has strengthened his influence in that country, and shakes Germany by the neck. His hand reaches already to the Alps and the Rhine, threatening liberty, light, and the progress of Europe; and Europe experiences this shame, in consequence of permitting the robbery and the dismemberment of Poland. By the unsuccessful Polish and Hungarian revolutions, Asia gained a splendid victory over Europe, and the Russian czar strengthened and obviously extended his influence over the civilized world. The Khanish despotism compels the friends of freedom, light, and progress to groan everywhere in prisons. The censorship was established over all literary and patriotic pens; free lips were sealed by the institution of the secret police and the spies of this new "holy inquisition." In our days, abominable St. Petersburg is what shameful Rome was once, the murderer of the body and the spirit. The Russian czar, surrounded by servile literati and his many mercenaries, preaches to the eastern and southern Slavonians about the blessings of blind obedience. Servile mouths represent the Russian czar as their deliverer from the yoke of the Turks and the Germans, and call on men to

enroll themselves under the standard of Panslavism ; they, however, can show nothing but the physical power of Russia, instead of intellectual and moral power. They breathe in the despotic spirit of the emperor and his military government. The Poles are singing hymns of liberty, light, and progress among the Slavonians. They send to them the words of freedom ; they nourish them with the sound moral food of their rich literature, old and new, and are certain of their victory upon this field of battle until there comes a general war of Europe against Asia."

Trentowski justly warns Europe against the danger which threatens it; the Slavonian people, numbering almost a tenth part of the whole population on the globe, because they pay homage to the Asiatic principle, will be able to oppress all the rest of Europe ; but if they love freedom, light, and progress, Europe, by their aid, will conquer Asia, and spread her civilization there. They are a people of the future ; the epoch of their regeneration is come. They have passed their studies in the most perfect school under a foreign yoke, in order to prepare themselves to accomplish the mission which Providence has destined for them. It is true that the Russian czar moves, by his agents, all the Turkish and the Austrian-Slavonian people, by his idea of Panslavism, wishing to unite them under his despotic yoke. But the southern Slavonian countries will no longer endure the idea of submitting to the knouts of the Cossacks, instead of forming constitutional states ; and Poland, if she be true to herself, at any change, will be able to establish herself as a constitutional middle state between Russia and the southern Slavonians. She has been, and will be, a bright star for all the Slavonian liberals, who will prefer liberty, light, and progress, to slavery, darkness, and stagnation. The Poles, continually fulfilling their mission, now oppose to the Moscovite Panslavism the constitutional union of independent and free Slavonian states, united, so far as circumstances will permit, by the strong central power of confederation. This idea will unite with them the Russian liberals and patriots. Even now, some distinguished and learned Russians have left their native land, endured persecutions and confiscation of their property, and have become members of the Polish moral government. They write and publish books about liberty and progress, paying a public homage to the eldest and most enlightened sister of all Slavonia, to Poland, for her divine love of truth and holy duty.

"Who, indeed," says our Polish patriot and philosopher, "can

support and lead on the Slavonian countries, oppressed for centuries? Who can deliver them from slavery and the yoke of the Turks and the Germans? Who, in this respect, can come with aid to them? Shall it be the Poles, with their history rich in splendid deeds and sacrifices for liberty; with their liberal philosophy, polity, poetry, and literature; or the Russians, with their physical power? The latter might deliver them from the yoke of the Turks and the Germans, but could not awake their own souls, which hunger only for power over animals in the human form. Shall this be done by the Polish moral force, or the Moscovite physical force? by the Polish spirit, or the Moscovite knout?"

Finally, he calls on them, with all the power of his soul:—

"O southern and eastern Slavonian people! What does the Russian czar offer you? The religious and political despotism blended together; the ecclesiastical Dalay-Llamaism and Japanism of government; the papism of the Middle Ages and the ancient Roman empire, united in the autocrat, unlimited by any law; the external and the internal, the earthly and the heavenly tyranny; the death of body, spirit, and soul;—in a word, the Asiatic principle. He will order your children to be torn away from the breasts of their mothers to be trained up for Moscovite soldiers, who must deny their own parents and be murderers of their own fathers and brothers, according to order, and under the threats of a thousand lashes. His *kibitkas* will carry you, by hundreds, to Siberia and Kamtschatka. He will crowd his political prisons with your patriots; he will kill you with knouts, like wild beasts; will give you a secret police and spies; will demoralize you so far that the husband will be afraid of his wife, the father of his son, and the mother of her daughter. You will be ashamed of your beloved native speech, and ordered to acknowledge the Russian government-language for your own. Look at Poland, poor Poland, mortified without measure; Poland, once so celebrated! Such a lot awaits you. You will recall with sorrow your present situation, because, not only German, but even Turkish slavery, is heaven in comparison with the Moscovite yoke. Such is the salvation you may hope from the Russian czar! And what do the Poles bring you? Liberty, light, and progress; the acknowledgment of separate nationality, the Slavonian confederacy freely constituted, the autonomy of nations; constitutions adapted to their local circumstances and wishes; independence, equality, and brotherhood; the European and the American principles. Already, today, you make revolutions, wishing to break asunder the chains of Turkish slavery. Which principle, then, is it, the Moscovite or the Polish, which corresponds with your feelings? O Slavonian people, hate the Russian czar, as embodied Satan!

keep firmly with the Poles, and you will be independent, free, and happy."

Trentowski addresses his countrymen as follows :—

"Literary men of Poland, seize your pen, and write for your beloved nation, because a great responsibility lies upon you. Open to her the gates of the future! Take off from her eyes the old bandage, that she may see the bright sun of her mission and destiny. Scholars of Poland, enlighten your nation, that she may know what she was, what she is, and what she ought to be; enlighten her, for spiritual darkness is the most terrible of deaths. Preach to her, every hour, that a great, magnificent, eternal deity constitutes her soul; that she, therefore, shall not and can not die; that there is no death for her, unless she herself suppresses her own immortality, by folly and ignorance, moral dulness, cowardice, want of self-respect, incapacity for self-sacrifice, and by vile deeds. Ye learned men of Poland, teach the Polish people, so eminently gifted by nature, to think, and the numerous damned nightmares of superstition and ignorance shall cease to oppress them. Teach them to think, and they will know themselves; will feel their dignity, and will not bow before vain pageantry, titles, human favors, and other idols. Teach them to think, for thought precedes feeling and action. And you other patriots, support with your aiding hand the national literati, for wisdom is today more necessary to our fatherland than at any other time. When a general light shall have been spread, then the day of our general, moral, and national salvation shall follow. The genius of Poland will feel his heavenly power, and God will be with her."

The Polish patriots, and all liberals in Europe, speak such language to Poland, and to the whole Slavonian people, groaning under the triple despotism of three Cæsars—the Russian, the Austrian, and the Turkish. This tendency has already its martyrs; books of freedom are scattered among the Turkish and the Austrian Slavonians; Christian missionaries peacefully prepare for their moral regeneration; God himself blesses efforts, so just, for divine liberty, light, and moral progress. And, as Campbell says, between the Russians and the Poles, or Asia and Europe,

"That is darkness combating with light;  
Earth's adverse principles for empire fight;"

States caring not what Freedom's price may be,  
May soon o'ertake, but must at last be free;  
For body-killing tyrants cannot kill  
The public soul's hereditary will."

ART. II.— CAUSES OF THE PRESENT CONDITION  
OF IRELAND.

1. *Tracts relative to the Laws against Popery in Ireland.* By Edmund Burke. [In *Works*, Vol. V., New York, 1813.]

2. *The History of Ireland from the Invasion of Henry II., with a Preliminary Discourse on the Ancient State of that Kingdom.* By Thomas Leland, D. D., Senior Fellow of Trinity College and Prebendary of St. Patrick's, Dublin. 3 vols. 4to. London, 1773.

THOUGH these Tracts of Burke are not all finished, and some of them mere fragments, we consider them more valuable than any other work on this particular subject. On questions relating to Ireland, with which he was so thoroughly acquainted, and in whose concerns he took such a deep interest, we think even the unfinished works of Burke more valuable than the most finished productions of any other writer.

In these tracts, the author endeavors to give a full and clear view of the laws against Popery in Ireland, enacted in the reigns of William and Mary, and of Queen Anne. He shows very strongly their absurdity, injustice, and cruelty, and their ruinous effects on the character, morals, and prosperity of the people.

It was said, by an English writer, about twenty years ago, that the history of Ireland is full of instruction and interest; and that to the people of England, especially, and of this age, it holds out lessons far more precious, far more forcible, and far more immediately applicable than all that is elsewhere recorded in the annals of mankind.

Ireland, so important a subject to the people of Great Britain, is also one of much interest to Americans. Formerly subject to the same sovereign, and a part of the same empire, no inconsiderable portion of our population is of Irish origin; and this proportion is rapidly, and, in the opinion of many, most alarmingly on the increase. The emigrants from Ireland to America are more numerous than from all the rest of Europe. For several years past, from one to two hundred thousand people have come from this island to our shores, and the effects are visible and striking in many parts of our country, and especially in our large cities. In our political contests,

this influence is very sensibly felt, and more than one of our most important elections have been decided by Irish votes.

Ireland is said to be more poor and miserable than any other community called civilized, and the cause of more unhappiness to all who have any thing to do with it.

The land does not produce more than one-fourth, perhaps not more than one-eighth of what might be obtained from it by fair industry and good cultivation. Much land is waste ; the land in tillage and the meadows for hay do not probably include together more than one-fourth part of the island.

Agricultural laborers are in great abundance in Ireland,—considerably more numerous than in England ; and it is said the product of their labor is not more than one-third or one-fourth as much.

England has an abundance of surplus capital for all enterprises at home, and for loans to foreign countries to any amount, where tolerable security can be obtained.

Here, then, are all the elements of a flourishing agriculture—a fertile soil, a temperate climate, abundance of labor ; and England not only has capital enough, if applied to this purpose, but also furnishes a good market.

Before the late famine,—by which two hundred and fifty thousand persons perished in one year in Ireland,—it was supposed that the great majority of the population seldom or never tasted bread or meat. Five millions of the people lived on potatoes, two and a half millions on oat meal, and the remaining half million on wheat bread and animal food.

Irish poverty and misery are not owing to the soil and climate, both of which are uncommonly favorable. With a good social system, there is probably no part of Europe or America where a comfortable subsistence can be obtained with less labor than in Ireland. The evil must be owing to moral causes, the government, laws, social system, or character of the people.

Says the London Quarterly Review:—

“ Absenteeism is one great cause of the poverty and misery of the Irish. ‘ The chief proprietors of land, in Ireland, are almost universally absent from the country, and their estates are managed by middlemen and agents.’ The system of subdividing and subletting land, partly caused by absenteeism, is the source of much wretchedness.

“ When other countries export commodities, they import, in return, other articles of equal intrinsic value. But, for the vast quantities

of wheat, beef, butter, &c., worth, we should suppose, at least, four millions sterling, per annum, now sent out of Ireland to pay absentee landlords, that country receives no return except receipts for rent. The hungry population of Ireland are doomed to stand idly by, and see a vast proportion (probably not less than one-half) of the whole produce of the country exported from its different harbors, to be expended, by absentee landlords, on foreign domestics and artisans. The meal is taken away, while the mouths into which it ought to go are left behind."

The evil complained of may be considered as owing, in some degree, to the history of landed property in Ireland. Nearly the whole of the land in Ireland has been confiscated, at different periods, and some of it several times over, under the pretext of treason or rebellion, in the native occupants or their chiefs, against the English government. Confiscated lands are considered in England, as our readers know, as the property of the crown, and the Irish lands were granted in immense tracts to favorites, generally to Englishmen.

A great portion of the new proprietors were absentees; and their Irish estates were managed by agents, or middlemen, and commonly let in small parcels; the most valuable part of the produce having to be sent out of the kingdom on account of the absentee landlords, leaving the tenant a bare subsistence, and that, commonly, a very poor one.

The common practice of the great proprietors of Irish estates is very different from that of English landlords. The former build no houses for their tenants, expend no money, and make no improvements on their lands. The rent is paid for the natural power of the soil, without any expense to the owner.

It appears from the latest accounts that much land in Ireland, heretofore cultivated, has been recently abandoned and left entirely waste. This is the case with more than one hundred thousand acres in the single county of Mayo. The taxes, and especially the enormous pauper-rates, have driven off the farmers, who, with what personal property they can save, are emigrating. "In parts of this county," says one of the poor-law inspectors, "so wasted are the people by want and disease, that an able-bodied man is hardly to be seen."

It has been lately stated in Parliament that the expense for the support of the paupers was much reduced, in consequence of the great diminution of the population by conflagration and disease.

There must be some great defects in the government and social state of a community, when such things are seen in so fine a country as Ireland.

The Established Church of Ireland, maintained as it is, may justly be considered a great grievance to the Catholics. Archbishop Magee, in his charge to his clergy, says that the Presbyterians have a religion without a church, and the Catholics a church without a religion; the Episcopal establishment happily combines the advantages of both a church and a religion! An advantage, not mentioned by the worthy prelate, is that of having all the wealth appropriated by the state to the support of religion, and of being one of the richest churches in Christendom. In Ireland, the Protestant church has the tithes, and the Catholic church the people. The one has all the church's wealth, but all the moral and religious instruction received by five-sixths of the people comes from the other. The annual income of the Established Church in Ireland is said, upon good authority, to have been about one million pounds; the annual average of the benefices to be eight hundred pounds. Three archbishops, having no property originally, have died within a few years, leaving no less a sum than eight hundred thousand pounds. One might suppose that these wealthy prelates were of opinion either that godliness is great gain, or that great gain is godliness.

It may be truly said that the Irish Catholics have never, or but very imperfectly, enjoyed the protection of law. They have generally, at least until a recent period, known government and law only as enemies, until they have come habitually to regard them as such.

How should they do otherwise? That collection of statutes called the "Popery Code," passed in the reigns of William and Anne, was specially directed against the Catholics, comprising from three-fourths to seven-eighths of the inhabitants. The great object plainly was to deprive of their property all Catholics who had any, and to prevent them, and all other Catholics, from acquiring any property in future. So rapidly was this effect produced that Burke supposes that the Catholics, comprising such a vast majority of the people, had not one-twentieth part of the property in Ireland.

Dean Swift describes, with much coolness, the condition of the Irish Catholics in his time:—

"We look upon them to be altogether as inconsiderable as the women and children. Their lands are almost entirely taken from



them, and they are rendered incapable of acquiring any more ; and, for the little that remains, provision is made by the late act against Popery that it will daily crumble away. In the mean time, the common people, without leaders, without discipline or natural courage, being little better than hewers of wood and drawers of water, are out of all capacity of doing any mischief, if they were ever so well inclined."

So far as the object of the Popery Code was to convert the Irish to the Protestant faith, there never was a more complete failure, the proportion of Catholics being much larger now than when the Code was enacted.

The successive confiscations of landed property in Ireland are probably without a parallel in any other country. In addition to those that took place before, the various confiscations during the reigns of the Stuarts, and in the time of the Commonwealth, amounted to nearly or quite as many acres as are contained in the island.

In the political contests of the English nations, whatever course was taken by the Irish, they seem in general to have been considered as rebels by the party in power, whether royalists or republicans, and treated accordingly. One of the largest confiscations was in the time of the Commonwealth, and the land was parcelled out by Cromwell among his soldiers.

When the English Revolution came, another large confiscation took place, and the Irish, for adhering to King James the Second, whom the English had set over them, were deemed rebels and traitors to William and Mary. Most of the confiscations were for treason, charged to have been committed the *very day* that the Prince and Princess of Orange accepted the crown, though the news of that event could not possibly have reached Ireland on the same day, and the Lord Lieutenant of James was then in Ireland, with an army, and in possession of the government.

It is admitted by all writers that the poverty, wretchedness, and suffering of the people are without a parallel.

It has been also admitted, with nearly the same unanimity, that their miserable condition was owing to the oppression and misgovernment of that unfortunate country by England, for nearly seven centuries past, or ever since the connection of the two countries. On this point, we believe there has been little or no difference of opinion. All parties — Tories, Whigs, and Radicals ; Englishmen and Irishmen ; Protestants and Catholics ; Episcopalians and Dissenters ; who agreed in hardly

any thing else — were unanimous in opinion as to the tyranny practised on the Irish people, or on the great majority, amounting to five-sixths of the population, that it was without example in any state in Christendom. Not only Whig and Radical publications, but the London Quarterly Review and other Tory organs have concurred on this point. Quotations abundantly proving this might be made.

But, lately, a different tone has been assumed by the Quarterly Review, and it has just been discovered that, though the English have generally acquiesced in the charges of misgovernment of Ireland, yet that they are totally unfounded; that England has been, in fact, the great benefactor of Ireland: —

“The better we love the real Ireland, the more strong is our conviction of the duty of endeavoring to rescue her from the deplorable extremity to which she has been reduced, not more, we are satisfied, by the unexpected inflictions of Providence than by the extravagant, the almost incredible obstinacy, apathy, and perversity of her own people.

“And why should *we* hesitate to tell the truth? The Irish patriots, as they call themselves, accuse *England* of all the misfortunes and miseries of Ireland. Even the other day, when we sent them ten millions of alms, they told us it was only a paltry, ungracious, and forced restitution of a long series of robberies; and whenever they are driven to admit that there is any thing wrong, either in the habits or feelings of their countrymen, they compensate the reluctant avowal by charging it all on the selfish policy and jealous tyranny of England. Why, therefore, are *we* not to retaliate on such wild misrepresentations by statements of the sober truth? Why are we not to insist on a fact, — notorious to all who are not blinded by national vanity or deceived by popular declamation and delusion, — namely, that all of civilization, arts, comfort, wealth that Ireland enjoys, she owes exclusively to England, — all her absurdities, errors, misery, she owes to herself, — and not accidentally, but by a dogged and unaccountable obstinacy in rejecting not merely the counsels, not merely the example of England, but in disputing, thwarting, and intentionally defeating all the attempts that England and Englishmen have, with most patient and prodigal generosity, been for nearly a century, and especially for the last fifty years, making for her advantage? This unfortunate result is mainly attributable to that confusion of ideas, that instability of purpose, and, above all, that reluctance to steady work, which are indubitable features of the national character; but also, no doubt, in a most important degree, to the adverse influence of the Roman Catholic priests, who have always been jealous of any improvement or instruction, even in

the ordinary arts of life, proffered by the Saxon, which they — not illogically, we must own — have looked on with apprehension as likely to diminish their own influence, and as the probable forerunners of light and education in other directions."

If the statement of the Quarterly Review is well founded, the prospect of America as well as of England, so far as relates to the Irish, is dismal indeed, and we may well despair of any regeneration. If the Irish, for seven centuries, have obstinately and perversely resisted all the efforts of a wise and paternal government for their improvement, and remain ungrateful for all the lavish generosity of the English, they must be given up as incurable. But if there is reason to agree with most writers on this subject, English as well as others, in ascribing their degradation to persecution, oppression, and misgovernment, then it may be hoped that a different treatment may produce some improvement in their character.

In opposition to the Quarterly Review, we quote the opinion of the Rev. Sydney Smith, so well known in various walks of literature, as expressing substantially, though in pretty strong phrase, the general opinions of both English and Irish writers on this subject:—

"We think the conduct of the English to Ireland to have been a system of atrocious cruelty and contemptible meanness. With such a climate, such a soil, and such a people, the inferiority of Ireland to the rest of Europe is directly chargeable to the long wickedness of the English government."

Nothing, we believe, can be more unfounded, and more directly the reverse of the truth, than the statements in the Quarterly Review. Any one who will take the trouble to examine the history of Ireland, during its whole connection with England, will be abundantly satisfied of this. The measures of the English government in relation to Ireland, and especially the laws against Catholics, in operation during nearly the whole of the last century, will go very far towards accounting for the present poverty and degradation of the Irish people, without supposing any peculiar faults in their national character.

We have but little reliable information concerning Ireland prior to the reign of Henry the Second, about the middle of the twelfth century. According to Tacitus, whose information must have been derived chiefly from his father-in-law Agricola, of whom he has left such a beautiful memorial, the inhabitants

of Ireland were similar in character and manners to the people of Britain. This renowned commander, after completing the conquest of Britain, would gladly have carried the Roman arms into the neighboring island, and have subjected it to the imperial sway. Tacitus says that Agricola often spoke of the facility of this enterprise, a single legion being, in his opinion, sufficient to conquer and retain possession.

But the emperor Domitian, jealous of the fame already acquired by Agricola in Britain, was by no means disposed to suffer his general to gather fresh laurels in Ireland. Thus, as Gibbon says, this rational plan of conquest was forever defeated, and Ireland remained the only country of Western Europe not subjected to the dominion of Rome.

The reason assigned by Agricola for the conquest of Ireland shows a curious contrast between the relative condition of the people of the two British islands at that time and the present. It was supposed, by this able statesman, that the Britons would wear their chains with less reluctance, if the prospect of freedom in the neighboring island were forever removed from their sight. Alas! during the seven centuries of Ireland's connection with England, there has never been the slightest danger that the prospect of Irish freedom or felicity would excite the envy or discontent of the Britons.

If, as it would seem, such counsel were given by Agricola, and rejected by the emperor, it might be said that the only good thing ever known or suspected of Domitian, was his declining the advice of his general to make war upon a nation which had given no offence to the Romans.

But little is known of Ireland during the long interval of more than a thousand years from the Roman conquest of Britain to the reign of Henry the Second. Christianity was introduced into the island in the fourth century, by St. Patrick and other missionaries, and embraced by the Irish with great zeal. Archbishop Usher says that the doctrines taught by St. Patrick were free from the errors of the Church of Rome. It appears that Ireland alone, of all the Christian nations of Western Europe, did not acknowledge the supremacy of the pope; and the Irish church, in its ceremonies and discipline, did not conform to the church of Rome, but, according to Usher, in its doctrines and government nearly resembled the reformed church of England.

Christianity seems to have produced a beneficial influence on the manners and morals of the Irish. The monks, said

O'Conner, fixed their habitations in deserts, which they cultivated with their own hands, and rendered the most delightful spots in the kingdom. These deserts became well policed cities, and it is remarkable enough that to the monks we owe so useful an institution in Ireland, as bringing great numbers together into one civil community. In these cities, the monks set up schools, in which they educated the youth, not only of the island, but of the neighboring nation.

Henry the Second, soon after he came to the throne, formed the design of adding Ireland to his dominions. As he was the most able and powerful monarch of the age, whose dominions included not only England, but about one-third of the present kingdom of France, the enterprise did not seem to be a very difficult one. A pretext alone was wanting. For, after a king (or a president) has made up his mind to make a war of aggrandizement upon an unoffending neighbor, the next step is, to assign the most plausible reason in justification.

It was alleged by the flatterers of Henry that the Irish were descendants of the Britons, and had originally taken possession of the island some centuries before, by leave of Gurguntius, a British king, and of course were natural and rightful subjects of the English, or rather Norman, king, Henry the Second :

That some princes of the Saxon heptarchy had led their armies into Ireland, and made conquests, which their successors, the Norman kings of England, were bound to recover :

That Englishmen had been frequently sold for slaves in Ireland. True, if the Irish had purchased, the Saxons had offered their brethren and children for slaves, and the English had also made slaves of the Irish. But the courtiers assumed, as a principle, that the Norman kings, by the conquest of England, inherited all the rights and claims of both Saxons and Britons ; and among the rest, the right of redress for any injuries done by the Irish to the inhabitants of Britain, at any period, however remote.

Hume says that Louis the Fourteenth, though an able monarch, and successful in many of his warlike enterprises, was unfortunate in never getting a good pretext for war. From the foregoing reasons, it may be supposed that Henry was equally at a loss to justify his invasion of Ireland.

Fortunately for the design of Henry on Ireland, the chair of St. Peter was then filled by Adrian the Fourth, the only Englishman who ever attained that dignity. He was a man

of great capacity and ambition, and well disposed to favor an enterprise that promised to extend the dominion of the Holy See. The popes had now assumed a superiority over all temporal monarchs, and claimed the right of granting and taking away kingdoms at pleasure. The pope had given England to William the Conqueror, and sanctioned the usurpation of Stephen. Adrian, who was not behind his predecessors in his pretensions, or efforts to enforce them, had conferred the imperial crown on Frederick Barbarossa, king of the Romans, and this haughty monarch submitted to hold the stirrup when Adrian mounted his horse.

Henry, by his agent in Rome, represented to Pope Adrian that Ireland was, in morals and religion, sunk into the lowest state of corruption; that the king, moved with pious zeal for the honor and enlargement of God's kingdom, wished to establish it in this unhappy country, and was ready to devote himself and all his powers to this enterprise. Imploring the blessing of the Holy Father, he requested his permission and authority to go into Ireland to reduce the disobedient and corrupt to the dominion of the Church; to eradicate all sin and wickedness; to instruct the ignorant, and spread the blessed influence of the gospel in its purity and perfection. He promised at the same time to pay for this permission a yearly tribute to St. Peter from that country, when this pious and benevolent enterprise should be accomplished.

The pope was much pleased with this application of Henry, and readily complied with his wish, by granting to him the kingdom of Ireland on the conditions mentioned, with full power to enter and take possession of the island. It was by virtue of this grant of the pope, and not by conquest, that the kings of England claimed the dominion of Ireland, and the obedience of the people, for nearly four hundred years, and until the Reformation. They were the lords of Ireland, which they held of the pope as mesne vassals between His Holiness and the Irish people, and were bound to bring them under the spiritual dominion of the Holy See.

This object of converting the Irish to popery was fully accomplished, and it was perhaps almost the only undertaking of the English government in Ireland, attended with complete success. The Irish people, who, prior to the English invasion, did not acknowledge the Papal authority, became at length the most devoted people in Christendom in their attachment and submission to the Catholic Church. Whether this conver-

sion was a blessing to Ireland, we do not undertake to say ; but, in all other respects, the English invasion seems to have been attended with the most calamitous consequences.

Ireland has now been under the English government and influence nearly seven hundred years. For the first three hundred and fifty or four hundred years, the Irish were not even nominally admitted to the protection of English laws, but might be plundered or killed with impunity. During the whole of the English rule, until a very recent period, they have been ill treated and oppressed as Irishmen. Since the Protestant Reformation in England, they have, in addition to other grievances, been persecuted as papists and heretics.

How far the English sovereigns and people attempted to carry into execution the pious and benevolent designs expressed in the application to the pope, and also as conditions in his grant of the island to Henry and his successors, may be judged of from the following extracts.

Sir John Davies, who was Attorney-General of King James the First ; who had held various offices in Ireland, and was very well acquainted with its condition and history, and by no means too favorably disposed towards the Irish, thus speaks of the English policy :—

“ It was certainly a great defect in the civil policy of Ireland that, for the space of three hundred and fifty years, at least, after the conquest first attempted, the English laws were not communicated to its people, nor the benefit or protection thereof allowed them ; for as long as they were out of the protection of the laws, so as every Englishman might oppress, spoil, and kill them without control, how was it possible they should be other than outlaws, and enemies to the crown of England ? ”

Soon after the murder of the Archbishop Thomas à Becket, by the courtiers, at the instigation of Henry, an English ecclesiastic reproached the Irish Archbishop of Cashel with a great deficiency in the Irish Church. “ You have your saints,” says the Englishman, “ but where are your martyrs ? I can not find a single Irish martyr in your calendar.” “ Alas ! ” replied the bishop, “ our people have not yet learned to murder God’s servants, but now that the English have come into our island, and Henry is our sovereign, we may soon expect martyrs enough to take away this reproach from our church.”

In the reign of Edward the First, that part of the native population which came in immediate contact with the English settle-

ments, and which it was, therefore, a matter of the utmost importance to conciliate, petitioned the king to adopt them as his subjects, and to admit them under the shelter of the English law. They even tried the experiment of bribing the throne into justice : —

“ An application was made,” says Leland, “ to Ufford, the chief governor, and eight thousand marks offered to the king, provided he would grant the free enjoyment of the laws of England to the whole body of the Irish inhabitants. A petition, wrung from a people tortured by the painful feelings of oppression, in itself so just and reasonable, and in its consequences so fair and so promising, could not but be favorably received by a prince possessed with exalted ideas of policy and government, and, where ambition did not interfere, a friend to justice.”

Edward, though well inclined to grant this request, was prevented by his counsellors, who assured him that a compliance was not possible in the present state of things :—

“ The compendious method,” says Leland, “ of quartering the soldiers on the inhabitants, and leaving them to support themselves by arbitrary exactions, was adopted with alacrity and executed with rigor. Riot, rapine, massacre, and all the tremendous effects of anarchy were the natural consequences. Every inconsiderable party who, under pretence of loyalty, received the king’s commission to repel the adversary in some particular district, became pestilent enemies to the inhabitants. Their properties, their lives, the chastity of their families, were all exposed to these barbarians.

“ The great English settlers found it more for their interest that a free course should be left to their oppressions ; that many of those whose lands they coveted should be considered as aliens ; that they should be furnished for their petty wars by arbitrary exactions ; and in their rapines and massacres be freed from the terrors of a rigidly impartial tribunal.

“ In the reign of Edward the Third, the Irish, addressing themselves once more to the throne of England, petitioned that *all those odious distinctions*, which had so long deluged the land with blood should at last be abolished, and that the Irish inhabitants should be admitted to the state and privileges of English subjects.”

This petition, of course, was refused.

The following laws or regulations in the same reign show in what light the Irish were regarded. “ It was enjoined by royal mandate that no mere Irishman should be admitted into any office or trust in any city, borough, or castle in the king’s land.” Again, by the parliamentary ordinance, called



the Statutes of Kilkenny, it was enacted, "that marriage, nurture of infants, and gossiped with the Irish should be considered and punished as high treason;" and "it was also made highly penal to the English to permit their Irish neighbors to graze their lands, to present them to ecclesiastical benefices, or to receive them into monasteries and religious houses." Even the poverty and misery of the poor Irish were proscribed, and it was made penal "to entertain their bards, who perverted the imagination by romantic tales."

"In the reign of Edward the Third," says Leland, "pride and self-interest concurred in regarding and representing the Irish as a race utterly irreclaimable." Four hundred years after, in the time of Swift, it was the fashion, he tells us, in England, "to think and affirm that the Irish cannot be too hardly used."

The Reformation in religion by Henry the Eighth was said to be a great good accomplished by most wicked means. However beneficial in its consequences, its origin and principal features bore the marks of its capricious, cruel, and rapacious author.

The Abbè Millot says, in his history, that England, in embracing the Protestant faith, went astray from the road to salvation, but the change was greatly for her temporal advantage.

It is important for a man's temporal salvation at least, to select the right time for changing his religion or politics. The same is true of sovereigns and nations. When the star of Napoleon was on the decline, the king of Saxony, more grateful than prudent, adhered too long to the cause of his imperial benefactor. He was punished for his unseasonable fidelity by the loss of half his dominions. It was said that the only difference between him and his brother sovereigns who had been arrayed under the same banner, was in his watch being slower than theirs. Their watches, we may suppose, were regulated by the rising sun, and pointed to the happy moment for deserting the falling fortunes of the emperor, and thus they not only preserved their old inheritances, but acquired new territories.

Henry the Eighth, by uniting in his own person all civil and ecclesiastical authority, became one of the most absolute monarchs that England or Europe has ever seen. He was not only king of England, but, what none of his predecessors had ever been, he was also the supreme head of the Church of England and the Church of Ireland. He assumed all the power

of king and pope in both countries, and was well disposed to exercise to the full extent his prerogative in both these capacities. As supreme head of the Church, he determined all creeds and articles of faith to be received by his subjects; and any deviation from the prescribed faith of the day — for it was frequently changed, according to the king's caprice,—subjected the offender to capital punishment. Parliaments and courts of justice were always disposed to do his bidding, and were in fact most convenient instruments to execute his will. The Parliament even went so far as to enact that the king's proclamation should have the force of law.

Thus, Lords and Commons, judges and juries, were equally submissive, and ready to condemn to the stake or the scaffold all who had incurred the king's displeasure. Queens, chancellors, dukes, lords, bishops, abbots, clergy, and laymen were liable at any time, at the pleasure of the sovereign and supreme head of the Church, to be hanged for treason or burnt for heresy as the occasion might require.

One of the most curious incidents of the American Revolution, was the English government's calling in aid the criminal code of Henry the Eighth to quell the disaffection in the colonies. Near the close of Henry's reign, and not long after "the bloody statute" was passed, and when the criminal legislation of this great reform may be supposed to have been brought near to its perfection, a law was passed to extend the king's jurisdiction beyond the sea, and bring to England for trial persons charged with treason committed out of the realm. When, during the seventeenth century, the Spanish statesmen were at a loss what to do, it was usual to say, "Let us consult the genius of Philip the Second." So the British ministry of George the Third, in their difficulties with the colonies, after trying in vain various measures of their own, thought it best to consult the genius of Henry the Eighth, who was so successful in putting down treason and rebellion, and whose will no man braved with impunity. The Parliament, accordingly, in order to try the efficacy of the criminal code of this formidable legislator upon the Americans, petitioned the king to cause the colonists charged with treason in America to be brought to England and tried under the statute of Henry the Eighth.

No wonder it was thought the Americans would at once be frightened into submission by the prospect of being transported to England and tried under the criminal code of Henry the Eighth. The experiment would undoubtedly have been success-

ful, and have completely extinguished treason and rebellion in America, if the king and his ministers had only been able to bring the culprits to England for trial.

Hume remarks that, in the reign of Henry the Eighth, the English were so thoroughly subdued that, like Eastern slaves, they were inclined to admire those acts of violence and tyranny which were exercised over themselves and at their own expense. By an act of Parliament, Henry was recognized to have been always, by the word of God, supreme head of the Church of England; and it was also declared by the act that archbishops and bishops have no manner of jurisdiction but by the royal mandate, and that to him alone, and such persons as he should appoint, full power and authority are given, from above, to hear and determine all manner of causes ecclesiastical, and to correct all manner of heresies, errors, vices, and sins whatsoever.

The English nation, in general, seem to have displayed much more facility than the Irish in abandoning the faith of their fathers and adopting the creed prescribed by Henry. The great body of the people seemed ready to follow him in all the successive changes which he made, and to embrace the orthodox standard of the day, any deviation from which was a capital offence. The Irish, perhaps as much from hatred to the English as from any other cause, seemed resolved to persevere in the religion of their ancestors.

We come now to the reign of Elizabeth, which, however glorious for England, was most disastrous for the Emerald Isle:—

“In the time of Elizabeth, however, the wars with O’Neil and Desmond, which were carried on, on both sides, with frightful barbarity, terminated in the absolute confiscation of all the possessions of those great chiefs, comprehending the whole provinces of Ulster and Munster, and much of the adjoining country; and the whole of this vast region was immediately divided among the English adventurers, who had flocked to the distracted land for the purpose of enriching themselves by its plunder, and had undoubtedly sought both to provoke and to perpetuate the wars, with a view to this desirable result.”

It is enough for us to remark that, under the sway of Sydney, Grey, and Essex, not only were the most inhuman butcheries practised upon the Irish, but a disposition unequivocally manifested, by these and other provocations, to goad them into irreconcilable hostility, with a direct view to the profit to be derived from their forfeitures. It is also certain that Eliza-

both herself, though ignorant perhaps of the cruelties actually perpetrated by her officers, was perfectly aware of this detestable principle, and of its efficacy in reconciling her armies to the continuance of the war. "If it goes on," she is known to have said to her council, "it will be the better for you, for *there will be estates for you all.*"—(*Ed. Review of O. Driscoll's History of Ireland, No. 92, Article 7.*)

The following quotations are from the poet Spenser's "State of Ireland." Spenser was secretary of the Lord Deputy Grey, and held a grant of the forfeited lands in Ireland, where he resided several years, and had a thorough knowledge of its concerns:—

"The governors are usually envious of one another's greater glory, which, if they would seek to excel by better government, it would be a most laudable emulation. But they doe quite otherwise. For this is the common order of them, that who cometh next in place will not follow that course of government which his predecessors held, either for his disdain of himself, or doubt to have his doings drowned in another man's praise, but will straight take a way quite contrary to the former, as if the former thought, by keeping under the Irish, to reform them; the next, by discountenancing the English, will curry favor with the Irish, and so make his government seem plausible, as having the Irish at his command. But he that comes after will perhaps follow neither the one nor the other, but will dandle the one and the other in such sort as he will sucke sweet out of them both, and leave bitterness to the poor country."

The desolation brought upon the province of Munster by the war into which the great Irish leader, the Earl of Desmond, was driven, by those who wished for his vast possessions, is thus described by Spenser:—

"Notwithstanding," says Spenser, "that the same was a most rich and plentiful country, yet, ere one year and a half, they were brought to such wretchedness as that any stony heart would rue the same. Out of every corner of their woods and glynns they came creeping forth upon their hands, for their legs could not bear them; they looked like anatomies of death; they spake like ghosts crying out of their graves; they did eat the dead carrions, happy where they could find them; yea, and one another soon after; in-somuch, as the very carcasses they spared not to scrape out of their graves, and if they found a plot of water-cresses or shamrocks, there they flocked as to a feast for the time, yet not able to continue there withal; that in short space there was none almost left,

and a most populous and plentiful country suddenly left void of man and beast."

The same system was adopted in Leinster and Ulster, as famine was supposed the most speedy and effectual method of reducing the Irish to submission, and to acquiescence in the confiscation of all their lands :—

"The soldiers," says Moryson, "encouraged by the example of their officers, everywhere cut down the standing corn with their swords, and devised every means to deprive the wretched inhabitants of all the necessities of life. The like expedient was practised in the northern provinces. The governor of Carrickfergus, Sir Arthur Chichester, issued from his quarters, and, for twenty miles round, reduced the country to a desert."

Thus, for about four hundred and forty years, during the reigns of all the Plantagenets and all the Tudors, the Irish, with very few and short exceptions, did not have the protection of law or the common rights of humanity.

The English kings, during the whole of this period, claimed the allegiance of the Irish, and the homage of their chiefs; yet, with a strange inconsistency, refused them that regular government and administration of justice which they earnestly sought, and which all rulers owe to their subjects. By the wars, massacres, famines, and confiscations, both the native Irish and also the Anglo-Irish had become so much broken, subdued, and weakened, as to cease their resistance to the English, and to wait passively, hoping for better things in the next reign.

These hopes were doomed to disappointment. James the First, before his accession to the English throne, had made favorable promises to the Catholics, in which they placed much confidence. But he soon took care to undeceive them. One of his early proclamations ordered a general jail delivery, with the exception of *murderers* and *papists*. To prevent the Irish from making any mistake as to his intentions, a proclamation was issued, stating :—

"Whereas his majesty is informed that his subjects in Ireland have been deceived by a false report, that his majesty was disposed to allow them liberty of conscience and the free choice of religion, he hereby declares to his beloved subjects of Ireland that he will *not* admit any such liberty of conscience as they were made to expect by such report."

His majesty kept his word, in this instance. The priests were banished, and the exercise of the Catholic religion pro-

hibited — Catholics being compelled to attend the Protestant church service every Sunday, under severe penalties.

In this reign, the English laws and administration of *justice* (humorously so called) were for the first time extended over the whole island.

It is a very curious fact that the Irish, who are now said to be so hostile to law and order, were, in the reign of James, and for a long time before, of an entirely different character, if we may trust the highest English authorities. Sir John Davies and Lord Coke both say, that “no nation love equal and impartial justice more than the Irish;” “which virtue,” says Lord Coke, “must necessarily be accompanied by many others.” The Irish had suffered so much in the last reign that they wished for quiet at any rate. Sir John Davies, the king’s attorney-general, says: “Whereupon the multitude, being brayed as it were in a mortar, with sword, famine, and pestilence together, submitted themselves to the English government, received the laws and magistrates, and most gladly embraced king James’s pardon and peace, in all parts of the realm, with demonstrations of joy and comfort.”

This joy and comfort at the prospect of English law and justice, for which the Irish had been duly prepared by “being brayed as it were in a mortar, with sword, famine, and pestilence,” was not of long continuance.

Very many of the people, throughout the island, both Catholics and Protestants, Irish and Anglo-Irish, soon found that the laws and judicial courts were mere instruments to rob them of their inheritance for the benefit of the king and a few greedy courtiers and favorites.

Commissions were appointed to make an inquisition into land titles in Ireland, and were conducted in such a manner as to place the estate of every individual and the whole country at the mercy of the crown and its creatures. Vast numbers were robbed of the estates which had been in their families for several generations. Whole counties were declared forfeited to the king. The process was a short one. The commissioners claimed for the king a title to a whole county. The question was submitted to a jury, and, if the jury refused to find a verdict for the king, they were imprisoned by the commissioners until they complied. Six counties of Ulster, the county of Wexford, many estates in other parts of the island, and the whole province of Connaught were thus declared forfeited, and the title vested in the crown. “Discoverers were everywhere

basely employed," says Leland, "in finding out flaws in men's titles to their estates."

The case of Connaught affords a specimen of the manner in which law was then administered in Ireland. To supply any formal defects in the titles of the landed proprietors of that province, new patents had been engrossed by James, and had received the Great Seal; but, by some neglect of the king's officers in chancery, the patents had not been enrolled, though the fee for enrolment, amounting to three thousand pounds, had been duly paid. For this neglect, the whole province was forfeited to the crown. But, it being near the close of this reign, the project was not carried into execution till the next.

In the reign of Charles the First, Lord Wentworth, the famous Earl of Strafford, was the king's deputy in Ireland. The king wanted money, and obtained large sums from the Irish on making fair promises, one of which was to secure them in the quiet enjoyment of their lands. But, having got the money, his promises were entirely disregarded, and the system of forfeitures was pursued by Wentworth with increased vigor. One instance will be sufficient. Wentworth accompanied the commissioners to inquire into the king's title through the province of Connaught, and all the counties in this province were declared forfeited to the crown. In one county, the jury were deaf to every argument in favor of the king's title, and refused to find it. Wentworth was enraged; he laid a fine of one thousand pounds upon the sheriff, and bound the obstinate jurors to appear in the castle chamber and answer for their offence; where they were fined each in the sum of four thousand pounds, sentenced to imprisonment until it should be paid, and to acknowledge their offence in court upon their knees.

But we have not space for the melancholy tale of Irish history, during the reign of Charles and the time of Cromwell and the Commonwealth. The Protestant massacre seems to have been in a great measure, if not entirely, owing to contest for lands, confiscated in the manner we have described, between the Catholics who had been unjustly driven from their estates, and the English to whom they had been granted. The Irish, who had suffered much in the reigns of the first two Stuarts, had still more to fear from Cromwell and the Commonwealth. The Catholics had been, in the main, loyal subjects of Charles and James; but in the eyes of Cromwell and the republicans they were not only enemies as royalists, but

heretics, whom it was lawful to exterminate or drive from the country. The barbarous policy of Cromwell in Ireland is well known. The garrison of Drogheda, who had surrendered on a promise of quarter, were cruelly massacred, to the number of two thousand. Wexford shared a similar fate, and the war, carried on with Cromwell's usual vigor and despatch, in somewhat the same manner as that of Joshua against the Canaanites, was soon terminated. Cromwell, in his letter to the Parliament, giving an account of the capture of Drogheda, where the massacre lasted five days, says, "I wish that all honest hearts may give the glory of this to God alone, to whom, indeed, *the praise of this mercy belongs!*"

In the settlement of affairs in Ireland by Cromwell, Connaught was set apart for the Irish who had not made terms with him. Ulster had already been appropriated by the London companies and the Scotch. The two other provinces, Leinster and Munster, composing about one half of Ireland, were allotted to the soldiers of Cromwell and the English adventurers who had advanced money for the expenses of the war. The Irish were now driven into Connaught, and Cromwell issued a proclamation, "that all Catholics who, after that time, should be found in any other part of the kingdom, man, woman, or child, might be killed by any body who saw or met them," — yet Mr. Carlyle says, commenting on this and similar deeds, "This is the first king's face poor Ireland ever saw; the first friend's face, little as it recognizes him. Poor Ireland!" And "the curse of Cromwell" is the only "gospel of veracity I can ever yet discover to have ever been fairly afoot there."

On the restoration of Charles the Second, the Catholic proprietors, who had been expelled from their lands, expected with some reason to regain their former possessions. They were nearly all of English descent, and had been loyal to the Stuarts. But the Cromwellians, as they were called, were numerous and powerful, Charles was indolent and ungrateful, and they were suffered to retain their lands.

It is remarkable that many of the descendants of the Puritans,—Baptists and Presbyterians,—who settled these two provinces, became Catholics in the third generation, and adopted the manners, habits, and in many instances the language of the Irish. A very large majority of the people of these two provinces are now Catholics.

In the reigns of Charles the Second and James the Second,



the Catholics in Ireland had little occasion to complain of religious persecution, and enjoyed nearly all the common privileges of English subjects. We must except, however, the time of the Popish plot in the reign of Charles, when the Catholic archbishop of Armagh, Oliver Plunket, who was considered by Protestants as a wise, sober, pious, and quiet man, was, on a false accusation, hurried over to England, condemned and executed.

The views of Irish history in the following extracts from Burke are very striking:—

“The most able antiquaries,” says Burke, “are of opinion, and Archbishop Usher, whom I reckon amongst the first of them, has I think shown, that a religion, not very remote from the present Protestant persuasion, was that of the Irish, before the union of that kingdom to the crown of England. If this was not directly the fact, this at least seems very probable, that papal authority was much lower in Ireland than in other countries. This union was made under the authority of an arbitrary grant of Pope Adrian, in order that the church of Ireland should be reduced to the same servitude with those that were nearer to his see. It is not very wonderful that an ambitious monarch should make use of any pretence in his way to so considerable an object. What is extraordinary is that, for a very long time, even quite down to the Reformation, and in their most solemn acts, the kings of England founded their title wholly on this grant; they called for obedience from the people of Ireland, not on principles of subjection, but as vassals and mesne lords between them and the popes, and they omitted no measure of force or policy to establish that papal authority, and all the distinguishing articles of religion connected with it, and to make it take deep root in the minds of the people. Not to crowd instances unnecessarily, I shall select two; one which is in point, the other on record; the one a treaty, the other an act of Parliament. The first, is the submission of the Irish chiefs to Richard the Second, mentioned by Sir John Davies. In this pact, they bind themselves, for the future, to preserve peace and allegiance to the kings of England, under certain pecuniary penalties; but, what is remarkable, these fines were all covenanted to be paid into the apostolical chamber, supposing the pope as the superior power, whose peace was broken, and whose majesty was violated, in disobeying his governor.”—(*Tracts on the Popery Code.*)

“When, by every expedient of force and policy, by a war of some centuries, by extirpating a number of the old, and by bringing in a number of new people full of those opinions, and intending to propagate them, they had fully compassed their object, they suddenly took another turn; commenced an opposite persecution,

made heavy laws, carried on mighty wars, inflicted and suffered the worst evils, extirpated the mass of the old, brought in new inhabitants; and they continue at this day an oppressive system — and may for four hundred years to come — to eradicate opinions, which, by the same violent means, they had been four hundred years endeavoring by every means to establish. They compelled the people to submit, by the forfeiture of all their civil rights, to the pope's authority, in its most extravagant and unbounded sense, as a giver of kingdoms; and now we refuse even to tolerate them in the most moderate and chastised sentiments concerning it. No country, I believe, since the world began, has suffered so much on account of religion, or has been so variously harassed both for Popery and for Protestantism."—*Burke, on the Popery Code.*

Probably the most remarkable instance of persecution and oppression is that of the Jews, for adhering to the religion of their forefathers; a religion which the persecutors themselves acknowledged to be of divine origin, and, for a long time, to have been the only true religion in the world. One Mr. Hamilton has written a book to prove the Irish to be Jews or Israelites. According to this author, a part of the tribe of Joseph had the good fortune to make their exodus from Egypt, before the time of Moses and Aaron, and found their land of promise in Ireland. This may be as true as many other learned conclusions on the origin of nations, to be found in the modern science of Ethnology.

But, whatever may be the facts concerning their origin, there is a great similarity in their fortunes. Both Jews and Irish have been persecuted for many centuries for their attachment to the religion of their ancestors, one of the most conservative principles, as Burke remarks, in society, and one which ought to be treated with great kindness.

Every religious or political revolution in England seems to have brought fresh calamities on Ireland. When the English chose to drive James the Second from the throne, and place thereon William of Orange, the Irish Catholics — the great majority of the nation — adhered to their old sovereign. James was their lawful king, placed over them by the English, without the Irish having any choice in the matter, and was, moreover, in Ireland with an army in actual possession of the country and government. Yet so little regard was had to the forms of justice that many outlawries and confiscations were made, as we have remarked, for treason committed by the Catholics in Ireland against the Prince of Orange, the very

day that the prince accepted the crown in London, and before the news of the event could possibly have reached Ireland.

Limerick, the last city that supported the declining fortune of James the Second, was a place of considerable strength, and was defended with great vigor and skill. William was desirous of terminating the contest. The surrender of the city would secure to him the peaceable possession of the three kingdoms. Both from policy and inclination he was disposed to grant favorable terms to the Irish Catholics, whose crime was fidelity to the cause of their lawful and hereditary sovereign. A pacification was agreed upon with the Irish leaders, called the Articles, or Treaty of Limerick, by which, on the surrender of that city, the English government solemnly guaranteed to all the Irish Catholics the free enjoyment of their religion, the security of their property, and a general amnesty for all their past conduct.

The Irish Catholics, at the treaty of Limerick, treated not only for themselves, but for all their countrymen then in opposition to William and Mary, and by the articles were admitted to all the privileges of subjects upon taking the oath of allegiance to their majesties, without being bound to take the oath of abjuration.

The Irish Catholics, by these articles, were to be capable of holding all offices, civil and military, under the crown, and of exercising all trades, professions, and callings whatever.

In a word, nearly or quite all the rights and privileges for which the Irish Catholics have in our day contended, were most solemnly assured to them by the articles of Limerick.

And, now, what was the fate of these articles of Limerick, which were ratified under the Great Seal of England, which, on all principles of good faith and public law, were as binding on the English government as any treaty ever made, and on the faith of which the Catholics, the great body of the Irish people, finally submitted to the government of William? Not only was every one of these articles violated, without any provocation, but a persecution was now commenced and carried on for nearly a century, against the Irish Catholics, more odious than had been known even in Ireland, or, in the opinion of Burke, at any time, in any country.

Had the Irish Catholics surrendered unconditionally and at discretion, sound policy and the obligation of the government to consult the well-being of their subjects would have required

the king and Parliament to do for the Catholics all that was supposed to have been secured to them by treaty.

The following is a mere sketch of some of the laws called the Popery Code, passed at various times in the reign of King William and Queen Anne. It is taken from the work of Burke, which contains a full view of these laws, and of the odious means provided for carrying them into effect. It will be recollected that these laws were in full force, at the time he wrote. It is worthy of remark that this barbarous code was enacted in the brilliant reigns of William and Anne, when, by the settlement at the revolution, the English constitution was supposed to have been brought near to perfection, in the time of her statesmen Somers and Godolphin, Harley and Bolingbroke, and in what many deem the Augustan age of English literature, in the days of Addison and Swift, of Locke and Newton.

No Catholic could acquire any real property by purchase, or devise, or testamentary bequest, or by descent from any collateral relations.

No Catholic could dispose of property by will.

No Catholic could sell any estate except to a Protestant.

Land of a deceased Catholic was divided equally between his sons, who, if Catholics, could not sell to each other, or to any but Protestants; on the death of the sons, to be again divided, and so on, *ad infinitum*, unless it should get into the hands of Protestants.

No Catholic was allowed to own a horse of the value of five pounds.

A Catholic having no land could not possibly acquire any by purchase, devise, descent, (except as above,) or by marriage settlement.

Any child of a Catholic, or his nearest Protestant relation, by professing to be a Protestant, immediately acquired the revenue and inheritance of the estate, and could sell and dispose of it forever; and also acquired such portion of the present income as a Protestant chancellor should give him. Those few parents who had any property may be said to have held it entirely at the mercy of their children, or of any disobedient child.

Thus one mode of reducing the Catholics to poverty was by corrupting the morals of their children, and putting it in the power of any vicious child, or next Protestant relative, to rob the whole family of their inheritance.

To take away all authority from parents, and to give the children of all Catholics dominion over their parents, any child might, and was encouraged to come into court, and compel his father to disclose, on oath, all his real and personal property ; and the court might assign any portion of it at pleasure to the child or children, and even take the whole property out of the owner's power, and secure or invest it at its discretion.

This process might be repeated at any time, in case the parent was suspected of acquiring any additional property.

If the wife of a Catholic should profess to become a Protestant, the children were to be taken entirely away from the father, who was deprived of any management and direction of their education, and compelled to furnish whatever sum the chancellor might please for their support.

All Catholics were disabled from taking or purchasing directly, or by a trust, any lands, any mortgage upon land, any rents or profits from land, any lease, or interest, for a term of years ; any annuity for life or lives, or years, or any estate whatsoever, chargeable upon, or which may, in any manner, affect any lands.

There was one exception to this exclusion from all property : a lease for thirty-one years ; but this was burdened with so many restrictions, and was rendered so precarious, as to be of little or no value.

No land could of course be taken by a Catholic as security for a loan, or in payment of a debt.

The object was to compel Catholics to change their religion, or otherwise to reduce them all to poverty as soon as possible, and prevent them from acquiring any property in future.

With respect to the acquisition of property, the law met the Catholics in every road to industry, and threw all possible obstacles in their way.

They were excluded from all civil offices, from all offices in the army, and entirely shut out from the profession of the law, in all its branches ; from chamber-council, private conveyancing, and from agencies and trusts, under the most severe penalties.

All barristers, clerks of court, attorneys, and solicitors were required to take a solemn oath not to employ any Catholics, not even as hackney clerks, at the miserable salary of seven shillings a week. No Catholic of course could be on a jury.

No Catholic tradesman, or mechanic, could, by any service

or settlement, obtain his freedom in any town corporate ; so that he was obliged to trade and work in his own native town as an alien, paying such quarterages, charges, and impositions as were required from strangers. They were forbidden to take more than two apprentices in any employment, excepting only the linen manufacture.

Let us next see what the law was in respect to education, an object of the first importance in every well-regulated state. From all the universities in England, Scotland, and Ireland they were of course excluded, as no Catholics can be admitted there.

But, in order to prevent Catholics from obtaining an education in any school or academies of their own, the law armed itself with all its terrors against such a practice. Catholic schoolmasters of every description were proscribed, and it was made felony for a Catholic to teach in a school, or even in a private family ; so that Catholics were entirely excluded from all means of education at home.

But this was not deemed sufficient. The law endeavored, by the most severe penalties, to prevent Catholics from obtaining any education abroad. Any person, or a child of whatever age, sent to any Catholic school or college abroad, incurred a perpetual outlawry, was disabled from suing in law or equity, from being guardian or administrator, or from receiving any legacy, and forfeited all his lands, goods, and chattels. All persons concerned in any way in sending them abroad incurred the same penalties.

The mode of trial prescribed is as curiously tyrannical as the law itself, but we have no room now to describe it.

As to the prohibition to keep any kind of weapon whatever, it may seem hardly worth mentioning among so many grievances. But the mode of execution rendered it a very serious one. Magistrates and justices, Protestants, of course, might at their discretion, and without any information, break open and search houses of Catholics, at any hour of the day or night, and the search was required by law to be made annually :—

“The law of King William and Queen Anne ordered all popish parsons exercising ecclesiastical jurisdiction, all orders of monks and friars, and all the priests not then actually in parishes to be registered, and to be banished the kingdom ; and, if they should return from exile, to be hanged, drawn, and quartered. Twenty pounds reward is given for apprehending them ; penalty, on harboring and concealing. As all the priests then in being and

registered are long since dead, and as these laws are made perpetual, every popish priest is liable to the law."

The operation of one of these laws is thus stated in an address by the Catholics to King George the Third, in the year 1775, praying for a repeal of this law, which had been in force about eighty years:—

"By the laws now in force in this kingdom," say they, "a son, however undutiful or profligate, shall, merely by the merit of conforming to the established religion, deprive the Roman Catholic father of that free and full possession of his estate; that power to mortgage, or otherwise dispose of it, as the exigencies of his affairs may require, but shall himself have full liberty immediately to mortgage or otherwise alienate the reversion of that estate forever; a regulation by which a father, contrary to the order of nature, is put under the power of his son, and through which an early dissoluteness is not only suffered but encouraged, by giving a pernicious privilege, *the frequent use of which has broken the hearts of many deserving parents, and entailed poverty and despair on some of the most ancient and opulent families in this kingdom.*"

There may be other causes of Irish degradation, though these laws seem sufficient to destroy the prosperity and morals of any people, and introduce universal poverty, ignorance, and wretchedness. Burke says:—

"It was truly a machine of wise and elaborate contrivance, and as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man."

"I vow to God," says Burke, "I would sooner bring myself to put a man to immediate death for opinions I disliked, and so to get rid of the man and his opinions at once, than to fret him into a feverish being, tainted with the jail distemper of a contagious servitude, to keep him above ground, an animated mass of putrefaction, corrupted himself, and corrupting all about him."

The calm, philosophic Hallam, in his *Constitutional History*, expresses an opinion somewhat similar: "To have exterminated the Catholics by the sword, or expelled them like the Moriscoes of Spain, would have been little more repugnant to justice and humanity, but incomparably more politic."

Probably many good Protestants who have been struck with horror, and with good reason, at the atrocities of the Spanish Inquisition, Queen Mary's persecutions in England, and the sufferings of the Huguenots in France, from Louis the Four-

teenth, are not aware that a system of persecution, in some respects as bad, or worse, and affecting a much greater number of persons, has been in force in Ireland for centuries, and until a recent period. He says, further :—

“ But, after all, is it not most evident that this act of injustice, [the revocation of the edict of Nantz,] which let loose on that monarch such a torrent of invective and reproach, and which threw so dark a cloud over all the splendor of a most illustrious reign, falls far short of the case in Ireland? The privileges which the Protestants of that kingdom enjoyed, prior to this revocation, were far greater than the Roman Catholics of Ireland ever aspired to under a contrary establishment. The number of their sufferers, if considered absolutely, is not half of ours. Considered relatively to the body of each community, it is not, perhaps, a twentieth part. And then the penalties and incapacities which grew from that revocation are not so grievous in their nature, nor so certain in their execution, nor so ruinous, by a great deal, to the civil prosperity of the state, as those which we have established for a perpetual law in our unhappy country. It cannot be thought to arise from affectation that I call it so. What other name can be given to a country which contains so many hundred thousands of human creatures in the most abject servitude?”

The laws against popery, says Burke, are one leading cause of the imbecility of the country :—

“ The stock of materials by which any nation is rendered flourishing and prosperous are its industry, its knowledge or skill, its morals, its execution of justice, its courage, and the national union in directing these powers to one point, and making them all centre in the public benefit. Other than these I do not know, and can scarcely conceive any other means by which a community may flourish.”

He then goes on to show that these penal laws of Ireland against popery destroy not only one, but every one of these materials of public prosperity. And we think every impartial person, acquainted with this system of tyranny and persecution, will be of the same opinion.

In addition to other grievances, the restrictions on the trade, manufactures, and agriculture of Ireland should be mentioned. The following, from the *Edinburgh Encyclopædia*, is merely a statement of what is well known to have been the English policy till near the close of the last century :—

“ So jealous and sensitively alive did the English government appear to be to the rivalry of Ireland in manufactures that,



whenever, by being rendered tranquil, she was in a state to carry them on, it immediately interfered to injure such kinds of manufacture as could in the smallest degree compete with those of England. Against the woollen manufacture their decrees were most violent and frequent; and the linen manufacture, which the English government professed to encourage, was suffered to languish, till formidable rivals to it arose, both in England and Scotland. The climate of Ireland, and the richness of her pastures, especially near the Shannon, pointed out the rearing and fattening of cattle as her most proper and profitable species of agriculture; and yet embargoes were laid on the exportation of Irish provisions. In short, Ireland was treated as a conquered country, but as a country so formed by nature that, if left to itself, it must inevitably get the start of England; and these two considerations, in the opinion of the English government, appeared to justify its conduct towards her."

The woollen manufacture was put down and prohibited by the Lord Deputy Strafford, more than two hundred years ago. Whenever it showed any symptom of revival, the English jealousy was aroused, and laws were immediately passed against it. Especially in the reign of King William, when the manufacture had made some progress, effectual manœuvres were taken by the English government for its destruction. The Irish were not suffered to manufacture their own wool, or export it to foreign countries, lest it should hurt the market for the English manufacturer.

These restrictions were all continued till about the middle of the American revolutionary war. Then, in 1778, after the French alliance with the revolted colonies, when England had to contend single-handed against France and America, and to withdraw the troops in Ireland for the defence of other parts of the empire, the famous Irish volunteers assembled, without any commission or authority from government, and, with arms in their hands, demanded some redress for Ireland. The English ministry and Parliament were frightened, and repealed some of the commercial restrictions and one of the most odious of the popery laws.

This suggests an important reflection—that almost every concession to Ireland has been extorted from the fears of the English government. It has not been made from justice, or good-will, but because it was not longer safe to withhold it. The main reason assigned by Sir Robert Peel for Catholic emancipation, was, that no ministry could be formed strong enough to continue in office without adopting the measure. Thus the

Irish have been taught the dangerous lesson, that agitation is the most effectual mode of obtaining redress.

But, says the Quarterly Review : —

“ The statute-book and the recorded debates of both Houses of both Parliaments are irrefragable evidences that there never has been any British minister who has not, *apart from mere political questions*, dealt frankly and even kindly with Ireland, and been earnestly desirous of raising her to a perfect equality with Scotland and England. If she has not attained that level — if Irish wretchedness be still a proverb, it is attributable to herself, to her own people, to their want of energy, and to either the baneful influence or culpable apathy of their priests, and not to either English ministers, or the English public.”

We do not know exactly how much ground the exception of political questions is intended to cover. But the statute-books, of which we have just given some specimens, show most abundantly that the assertion of the Review is not only unfounded, but, until a very recent period, altogether the reverse of the truth.

Whether the oppressive laws proposed by the ministers and passed by the Parliaments since Ireland has been subject to England, and especially during the last century, had their origin in a narrow policy or in religious bigotry, is of little consequence to the sufferers. The injustice and ill effects are the same, whatever may have been the motives of the English government.

The opinions of Dr. Johnson, as given by Boswell, in his amusing biography of that celebrated man, are worth quoting in opposition to the Quarterly Review : —

“ He (Dr. Johnson) had great compassion for the miseries and distresses of the Irish nation, particularly the papists; and severely reprobated the barbarous, debilitating policy of the British government, which, he said, was the most detestable mode of persecution. To a gentleman, who hinted such policy might be necessary to support the authority of the English government, he replied, let the authority of the English government perish, rather than be maintained by iniquity. Better would it be to restrain the turbulence of the natives by the authority of the sword, and to make them amenable to law and justice by an effectual and vigorous police, than to grind them to powder by all manner of disabilities and incapacities. Better (said he) to hang or drown people at once, than, by an unrelenting persecution, to beggar and starve them !”

At another time : —

*Boswell.* "Pray, Mr. Dilly, how does Dr. Leland's History of Ireland sell?"

*Johnson.* [Bursting forth with a generous indignation.] "The Irish are in a most unnatural state; for we see there the minority prevailing over the majority. There is no instance, even in the Ten Persecutions [of the Christians,] of such severity as that which the Protestants of Ireland have exercised against the Catholics. Did we tell them we have conquered them, it would be above board; to punish them by confiscation, and other penalties, as rebels, was monstrous injustice. King William was not their lawful sovereign; he had not been acknowledged, by the Parliament of Ireland, when they appeared in arms against him."

In looking for the causes of Irish degradation, the philosophical principle applies, to seek for no more causes than are sufficient to produce the phenomena. We think that the history of Ireland, fairly examined, shows sufficient causes for her present condition, without resorting to any theoretical inferiority of the Celt to the Anglo-Saxon.

There seems much reason to suppose, with many writers, that a majority of the people of Ireland are, after all, of Anglo-Saxon origin, the descendants of the successive English colonies settled in Ireland. Previous to the Reformation, all the English, as well as native Irish, were, of course, Catholics. A very great portion of the descendants of those English settlers in Ireland have become Catholic. It is said that nearly all the descendants of the Cromwellian settlers now belong to that sect. There is no question that the proportion of Catholics to Protestants has been rapidly increasing since near the commencement of the reign of Charles the Second to the present time.

How far the great increase in the proportion of Catholics, notwithstanding the great wealth of one church and the poverty of the other, may be explained by the following extracts we leave our readers to judge. It is a subject of much importance to the clergy and people of the different religious sects in our own country.

O. Driscoll says, in his History of Ireland : —

"The extreme anxiety of the Church of England to preserve its connection with the crown was not surprising. The established religion of England is the religion of the rich and polite; but, as these classes are rarely religious, the church has little hold upon society, whatever may be its importance as a parliamentary, or

state machine. Deprived of the countenance of government, the Episcopal church would lose almost all its support. The middle and lower orders of the people hang loosely upon it, or are scattered among the sectaries.

"The Church of England has never been able to attain — what that of Rome has so perfectly accomplished—to be the religion of the rich and poor. The secret, perhaps, is to be found in the grand spectacle of the *sacrifice* which the Roman Church presents in her celibacy, which gives her ministry the semblance, if not the reality of a *vocation*; while the British Church has all the appearance, and in many cases the reality of a mere profession.

"The Reformed Church, too, had, in the outset, the taint of impure motive. The great men of the Reformation had little other object in view than the plunder of the old establishment. Nor, when the new church had accumulated wealth, was the contrast favorable, which she presented, with the old. The old establishment, like the new, had been greedy of wealth, but had used it differently. Notwithstanding many abuses, the poor were provided for; at her expense the sick and the stranger had provision made for their wants. Her Orders of Charity were multiplied as the exigencies of the people increased. Mansions of hospitality were erected for the wayfarer in the desert. Her 'missions' extended over the globe, and were often zealous and devoted. At home, her tenants lived in ease and abundance, on her domains, and hardly felt the light rents they paid, while she reared everywhere costly and beautiful churches at her own expense, and without charge to the people, for the worship of God and the ornament of the country.

"All this was changed at the Reformation. With the purer doctrines of the Reformed Church, came an increase of the burdens of the people. Charity and zeal (odd effect) seemed extinguished by the truth. The poor, and the sick, and the stranger, were left to the tender mercies of the parish officers; the missions ceased; the Orders of Mercy were no more; the expense of building churches was thrown upon the laity; a new and meaner order of architecture showed the melancholy change which had taken place. The tithe was collected with severity; and the pastors and the flock exhausted their animosities in the courts of law."

But to what purpose is it to remind us of the laws now repealed? Because, though many of the bad laws are repealed, the consequences remain. The evil that men do lives after them, and the laws passed the last century must have had a much greater share in forming the present Irish character, than all the laws and acts of government since that time. A nation, degraded and demoralized by conquest, confiscation

of property, a bad social system, and centuries of misgovernment, is not easily renovated. Is it to be expected that an ignorant, idle, turbulent, and vicious population will, by a mere repeal of bad laws, become industrious, provident, moral, and intelligent? The supposition is contrary to all history and experience; to all the laws, so far as they are known, which regulate the human mind in individuals and communities. Though most of the bad laws are repealed, their spirit and disastrous effects remain in full vigor. The Irish have, for centuries, been taught by sad experience to regard the government as their enemy, and, practically, they cannot be said now to enjoy its benefits.

But it may be said that the present generation and present government of England are not responsible for the conduct of their ancestors and predecessors. True, so far as they do not put themselves in the way of reformation, and so far as they do what they can to redress the wrongs of Ireland. What is the remedy, is the important question for the British government. Unluckily, here, we apprehend that the maxim of law will not be found correct: that there is no wrong without a remedy.

There is reason to think that the English government is now more disposed to do justice to Ireland, and adopt some measures for her benefit, than at any former period. The very little effect produced by some measures from which great good was anticipated is somewhat discouraging, and reminds one of the following remarkable passage in Spenser's *State of Ireland*: "Marry, so there have been divers good plottes devised, and wise councils cast already, about reformation of that realm; but they say it is the fatall destiny of that land, that no purposes whatever which are meant for her good, will prosper, or take good effect; which, whether it proceed from the very genius of the soyle or influence of the starres, or that Almighty God hath not yet appointed the time of her reformation, or that hee reserveth her in this unquiet state still for some secret scourge which shall by her come into England, it is hard to be knowne, yet much to be feared."

The following extract from the character of Bacon, in Campbell's "*Lives of the Lord Chancellors*," shows us the views of that great man concerning Ireland. When it is considered that this advice was given by Bacon before any English colonies were planted in America, the contrast now, between Ireland and the United States, might afford matter for grave re-

flection, and perhaps instruction, to the present rulers of the British empire : —

“ The advice Bacon gave respecting Ireland is beyond all praise ; and, never having been steadily acted upon, it is unfortunately highly applicable to our own times. On New Year’s day, 1606, he presented to the king, (James the First,) as a ‘ Gift,’ a ‘ Discourse touching the Plantation in Ireland,’ saying to him, ‘ I assure myself that England, Scotland, and Ireland, *well united*, is such a trefoil as no Prince, except yourself, who are the worthiest, wear-eth in his crown ;’ and points out to him how, by liberality and kindness, the union might be accomplished. He displays a most intimate knowledge of the miseries of Ireland, their causes and cure. This desolate and neglected country is blessed with almost all the doweries of nature,— with rivers, havens, woods, quarries, good soil, temperate climate, and a race and generation of men valiant, hard, and active, as it is not easy to find such confluence of commodities,— if the hand of man did join with the hand of nature : but they are severed,— the harp of Ireland is not strung nor attuned to concord.’ ”

---

## THE INDUSTRIAL ARTS IN RUSSIA.

In a former number of this Journal we said something of the financial condition of Russia. We now propose to speak of the state of commerce and industry. Russia has advanced in a pretty regular and natural manner from pastoral life to agriculture ; but this advance was not made by the voluntary efforts of free men, as in the United States of America, but by means of compulsory labor. The owners of land did not find willing laborers among its poor men, so they availed themselves of the base character of the usurper Boris Godunoff, who was czar from 1597 to 1605, and obtained a law that peasants residing on any estate should be attached to the soil, and forbidden for the future to remove from it. At that time, the land-owners, with their connections, formed the main portion of the Russian army, and it was only with their aid that the czar could retain the absolute power which he had acquired by murder and various other enormities. Since agriculture was not conducted by the hands of free men, it continued in a very imperfect state, and never flourished to a great degree ; for men only work to the best advantage when they labor from

their own impulse. One need only look at Russia to be satisfied of this.

The intelligent advisers of Peter the Great seem to have known that agriculture, though the primitive source of national wealth, is not sufficient; so, accordingly, they took measures to open the next source of prosperity: namely, commerce. But here they almost wholly lost sight of the fact that men do nothing well without freedom. They thought they were managing shrewdly in advancing trade at the expense of agriculture. Accordingly, men, entirely or partially slaves, at the emperor's command, were forced to apply themselves to trade and manufactures, as before they were compelled to engage in agriculture — the fruits of which others were to enjoy. The population of whole provinces was withdrawn from agriculture, which still needed their labor, in order to build a city, in the swamps of the Neva, which might serve as a commercial metropolis. After this had been done, at the cost of their lives, another decree collected in it the people of distant and interior provinces, and they were compelled to live there and apply themselves to commerce or mechanical arts, while the people of yet other regions had been taken as soldiers to conquer these swamps, and then defend them. The czar himself appeared in person, at the head of these mechanics, for, with his own hands, he worked as a carpenter, as a thresher, and a blacksmith. The rod, put in motion by the supreme hands of the czar, drove others to imitate his example.

Trade is inseparably connected with navigation. But the Russian, like the Jew, shuns the water. So the czar himself became a sailor, and, with his own hands, goaded his people on to imitation of himself. This was the beginning of Russian commerce; it promised no rich return, not even to be permanent. It was begun and continued by brutal violence. Yet, foolish and short-sighted as it may appear to any one who looks deeply, it is still continued to the present day. There has been established a brutal and sometimes a perfidious system of commercial policy, because nothing better could be built on a foundation so bad, and because one evil always brings another in its train.

After this rapid glance, let us see more minutely how affairs in Russia were brought to their present condition. Under Peter the Great, and his successors, the arms of Russia were carried to the East, to the Black Sea, and the Northern Ocean. Nothing seemed more likely to promote the commerce

of the world ; for, besides the new, men could still use the old avenues of trade, through Bukaria, to China and India. Thus a wide door was opened for commercial enterprise. It seemed as if commerce and industry would thrive all the more, for the government came to their protection. After the destruction of Poland, Russia was brought into direct communication with the rest of Europe, and could hardly be kept from exerting an influence on all that pertained to commerce and industry. In Turkey, and in Persia, her influence was likewise powerful enough to protect and advance her own commercial and industrial interests — while, in Kiva and Bukaria, her power was so great as to alarm the English.

But, notwithstanding all this, agriculture has not improved in Russia, and still is in a state of infancy. Grazing is one of the main supports of agriculture, but it is not conducted in a rational manner. Artificial meadows are unknown ; no mention is made of irrigation and draining. At one season of the year the best fodder for cattle is wasted, and at another there is the most pressing want of it : this happens because the hay is badly made, at the wrong time, and badly kept. The Russian farmer, in general, does not plough, sow, nor reap his harvest at the most suitable time, but in all these things he governs himself by his almanac. He begins his work when this or the other feast takes place, without considering that these feasts vary from year to year. Thus the best time for sowing or reaping often passes by unused.

Slavery naturally leads to the custom of letting lands lie fallow for a time, and, accordingly, this most shiftless system of agriculture is in common use. Thus, they neglect the culture of grass and roots, which are indispensable to success in rearing cattle ; they lose the advantage of the rotation of crops, and the ground is overrun with weeds. Thus, every five or six years, large lots of land are nearly ruined. To increase the mischief, the roads are in a condition incredibly bad ; and so, another obstacle is thrown in the way of agricultural prosperity, for the farmer's crops must be disposed of near at hand. In respect to public roads, young America, advancing so rapidly under the impulse of freedom, puts old Russia to shame. In spite of the centralization of the imperial power, in spite of the knout, the kantschu, (*another* kind of whip,) and other kindred means of supporting despotism, it is impossible to escape this disgrace—which seems scarcely credible to us—that, in a district of the same province, the price of corn varies nine hundred per



cent. ; in one place, a certain amount of corn costs a ruble, and, a hundred wersts off, it will bring ten rubles, and men agreed to get it at that price.

It is only in a few districts that the Russians seem to have an idea of a rational mode of raising cattle. In general, the Russian cows appear only like large goats, and the Russian farm-horse is but little bigger than the ass in the centre of Germany. In the district of Archangel, the Dutch and English horses have been introduced, and in the South of the empire ; but this has done little to improve the breed ; for why should a slave concern himself about improving the race of cattle, when he cannot thereby improve his own condition ? With the loss of freedom, the desire of improvement is also lost. Some wealthy land-holders have sought to improve the mode of raising sheep, but their efforts have been almost wholly fruitless. The sheep is commonly raised only for the table, the skin is only valuable for peltry, or at most, the coarse wool is made into felt ; so the common proverb holds good : "The sheep costs as much as it comes to." ("Das Schaaf frisst so viel als es inbringt.")

Though the Russian has not a fertile soil at command, yet he is ignorant of the use of manures.

The raising of horses, as that is carried on by the Kirgisians and the Kalmucks, is often regarded as the chief source of the wealth of Russia. Still, it may be doubted whether a great part of the land now devoted to this business might not be better used for some other purpose. The large export of tallow and hides, it is well known, is no indication of national prosperity, for it is not a good thing for a nation to export its products in such a rude state, — merely as raw material.

The extirpation or the destruction of the forests, which goes on with increasing rapidity, is another proof that a despotic government, much as it is boasted of, is unable to set bounds where they seem needed. What will become of the greater part of Russia when it is stripped of its woods ? The desolate steppes show us the state to which the destruction of the forests reduce a country which has no other supply of fuel. But what means does this despotic government possess to constrain its subjects to spare the woods, or to plant trees ? It has tried all its means : but, hitherto, in vain ; for the only efficacious means, the education of the people, is inconsistent with the idea of a despotism.

The culture of silk and of the vine might be successfully

carried on in Russia, but previous experiments show that the chief lack is of willing hands. To promote this work, the government invited foreigners into the country, and allowed them certain privileges; but the deteriorating influence of the servile population seems to have made it unsuccessful; the good habits of the immigrants were lost in the mass of men about them, while the latter gained nothing. New life was not to be looked for from abroad, for there was no accession of new immigrants, but, on the contrary, the severest laws against leaving the country are necessary, to keep the inhabitants at home. It is not easy to keep men in a country, or bring men thither, when they see that their children must become slaves. It is not a very attractive prospect, to rear sons for that great slaughter-house, the army of the czar, or to see the result of one's toil go off like smoke, in the form of taxes of all sorts, or swell the extortions of the officials of government. How can the acknowledged effort to hinder the development of the lower classes lead to any very marked productive activity?

The rearing of bees is the only business which is really and continually progressive, perhaps because this is congenial to the lethargic habits which slavery brings with it. The chase is a matter of some importance in Russia, but it has led almost to the annihilation of some races of animals. The fisheries are likewise of importance, but the Russians themselves confess that little is done to improve them.

It now remains to speak of the mining operations of Russia. After a careful examination of this matter, we must confess that the results of her mines are by no means so splendid as it is commonly supposed. In consequence of the corruption of the managers of the mines in Siberia, they yield but little. We know well that this fact seems to be contradicted by the apparent readiness with which Nicholas, not long ago, sent the precious metals abroad, but this produced a total withdrawal of gold and silver from the internal trade of the empire itself. Russia is only rich in Show-money (*Schein Geld*) and in Show in general. We have been informed, by one familiar with public affairs in St. Petersburg, that, in respect to the one hundred million rubles which it is pretended are kept in the treasury, in the fortress of Peter and Paul, "only children and fools are deceived by the pretended carting back and forth of bags of gold and silver. Other persons know that the tradesmen appointed to examine this treasure only look at the top of a few of the bags, and there is

no gold and silver anywhere else." It is very well known that the magistrates, even of the higher departments, are instructed, from higher quarters, to deceive. It was very easy to deceive in respect to the finances of the nation. The emperor has shown so much sensitiveness at the circulation of the above-named story, that it is plain he has been wounded in a tender spot.

It is certain that very few Russians are really rich. Want of actual money is very common in Russia; the wealth of individuals, so far as money is concerned, consists of paper, and not coin. The true cause of this will appear to any one who casts a scrutinizing eye upon the condition of trade and industry in Russia. But, before we do this, let us consider the steps which it is pretended she has lately taken for the improvement of agriculture, of which the most pompous accounts have been put in circulation, especially in foreign countries. Much has been said about the enterprise of individuals, and the encouragement which the state has afforded; much is said of agricultural societies, assemblies, orders, distinctions, institutes, model farms, and the like. Great pains are taken to bring this stalking-horse before the eyes of strangers who visit Russia, or reside there, and from whom information would naturally be sought. They are shown the agricultural institutions which are in the neighborhood of St. Petersburg, and the district of Mohileff, where, as it is natural, every thing is prepared to excite amazement. If a man looks no deeper into the internal affairs of the land, if he does not observe the unavoidable reaction of slavery and other forms of thralldom, the guardianship of officials, the consequences of ignorance among the people, and of the superstition and prejudice consequent thereon; if he forgets the great number of holidays and festivals, drunkenness and its results,—theft, general indolence, and lack of skill;—if he leaves all this out of the account, and stoutly believes in the illusions before him, then his eyes are blinded, and he does not heed the causes which make it impossible for real and thorough improvements to take place; in one word, he misses the solution of all this riddle. The reports, sometimes made, remind us of the tales in the *Arabian Nights' Entertainments*. If a traveller should be led blindfold through the Sahara to some blooming oasis, and there be shown the beauties of the spot; if he were told: "See our progress in cultivating the desert; we have sunk Artesian wells through the sterile sand, and have led subterranean springs to the surface of the earth;

we have taken limestone from beneath to fertilize the land above, and very soon all this wilderness of sand will be a blooming garden ;” even this tale would be almost as probable as the story of splendid successes under the Russian government ; for the free children of the wilderness could be brought to such a state of improvement more easily than the poor, enslaved, and corrupted Russian, from whom freedom, the first condition of all welfare, is so completely removed. As long as liberal institutions are withheld from the Russian people, as long as the emperor proceeds with a corrupt and corrupting system of government, as long as the elevation and instruction of the people are rendered impossible ; so long all the unions, assemblies, orders, distinctions, and model institutes, will not be worth a hollow walnut — movements of a miserable political hypocrisy. But while men are in such degradation, they cannot comprehend the comedy which is thus played before them.

All the pretended anxiety of the government to promote the industry of the people is shown in the attempt to shut the ports of the kingdom. This is carried on with a good deal of violence. This gives rise to bribery and smuggling, and to demoralising the inhabitants of the large towns ; while, at the same time, the Russian manufactories are freed from that foreign competition which is essential to success in any department of industry. There are about four thousand factories in the kingdom ; their owners rely on the protection of government, become sluggish and careless, and accordingly their fabrics are inferior to those of surrounding nations, and so the people are obliged to do without many things, while the welfare of the state is not promoted by this self-denial. While the raw material and articles of wool are about one hundred per cent. cheaper than in England, the articles of Russian manufacture are twice as dear as the English, and are also inferior in beauty and durability.

Under such circumstances, it seems very remarkable that foreigners do not invest their capital in Russian establishments, where they might obtain larger dividends than elsewhere. This is the reason : it is difficult to obtain trustworthy, willing, and skilful laborers ; for, in the use of machinery, the Russians show that negligence and indifference which are the unavoidable results of the servile state. Besides, the evils which always attend attempts to manufacture by the hands of slaves are continually increasing in Russia ; thus, while in free States the laborers continually become more elevated, and more honorable,

so that manufacturing speculators can make use of their intelligence and skill, the despotism of Russia makes the people untrustworthy, gives them a tendency to lie, to deceive, and to steal, and in this way the business of manufacturing is rendered difficult and sometimes impossible. Enlightened manufacturers withdraw their families from the neighborhood of their factories, which demoralize the people; at this time, the manufacturing business in Russia seems like a Stygian flood, into which no one ventures who can keep out of it, unless driven thither by insatiable thirst for gain.

Such is the melancholy state of the law, and the yet more miserable administration of justice by its courts, and such the uncertainty of property, if not of the person, that those social evils are not needed to deter men from undertaking to establish manufactures on a solid basis. In the higher classes of society, the difficulties of a Russian manufacturer are so well known that he cannot become even respectable, and the degradation naturally increases the disagreeable qualities in any man who is not perfectly indifferent as to the mode by which he makes his money. When we remember that, for successful manufacturing, it is necessary that whole generations, in uninterrupted succession, shall contribute their experience and their capital, it becomes plain that manufactures in Russia must be in a very bad state, for men only aim at this: to get money enough, as soon as possible, to escape into a foreign land, or else to secure for their children admission into the service of the state. Thus, in Russia, the business of manufacturing assumes the character of a mere shift for the time, and does not rest on a solid foundation.

After saying so much in general, by way of corroboration, let us now say a word on the special manufacture of leather, tallow, hemp, flax, silk, woollen, and metals. The manufacture of leather, instead of advancing, has gone back; at least some articles have lost their former reputation, and the manufacturers of the best carriages in Russia must get their leather from abroad. Japanned leather is no longer manufactured, and glove leather is of a much inferior quality. Fine manufactures of tallow, hemp, and flax fail almost wholly in Russia, and we might say the sale of the raw material continues chiefly by the fact that it is indispensable, and because in this article deception is more easily prevented. If machinery should be extensively used in the manufacture of linen, the Russian sail-cloth must unavoidably decline.

The inferior quality of Russian silks is well known ; but, independent of their quality, the obvious bad taste of the article is sufficient to prevent them from competing with the superior fabrics of other countries. The woollen manufactories of Russia, nearly six hundred in number, can only compete with other countries in the manufacture of the poorest articles, and at the lowest prices, by transporting them to China. In the manufacture of metals, there is an almost total want of invention ; hence the Russians are excluded from the very markets which they might so easily inundate with their goods. The degrading influence of the government, which puts the people down and holds them down, appears everywhere in Russia, but its pernicious influence is most clearly seen in the industry of the people. All the efforts of the emperor to elevate the industrial condition of the state continually fail for lack of freedom in the people.

It is very plain that slaves are not able to engage in trade and commerce ; but in a country where the czar is the only man that is free, there is no disposition to allow the merchant the entire freedom which is the element of his life. Yet, a certain conditional amount of freedom is allowed the merchants : as citizens, so called, they have some privileges above the serfs and other persons, without, however, being able to approach to the privileges of the nobility. The merchant is exempt from military service, but may serve if he will ; but, in that case, he has not the same favors shown him as to the nobleman ; so the only motive for military service, the opportunity for distinction which it might afford, is taken away. Public employment in Russia is the only quite honorable business ; productive labor is attended with more or less reproach, while idleness and dissipation enjoy distinction ; accordingly, in such a state of things, the merchants can have but little freedom or social consideration. The Russian merchant is wholly devoted to material things, strives for nothing but the increase of his wealth, and has no aspiration beyond it. Under such circumstances, it is not possible for trade itself to flourish in full vigor ; the degradation of the merchant prevents the full expansion of trade. But the Russian feels strongly that the nobleman enjoys a consideration not granted to him so long as he continues in trade. He therefore desires to secure to his children this coveted privilege, so he devotes them to the public service of the state, in which they almost always speedily squander the estate which

their fathers left them, while, had they continued in trade, it would help and promote the expansion of trade itself.

Then there is a general want of credit, which arises from the instability and lack of mercantile honor among the Russians. The education of the people has been purposely neglected, and so it is no wonder that the foreign trade of the Russians, the most lucrative branch of business, is in the hands of foreigners.

None but a despot would have chosen St. Petersburg for the capital and seat of commerce of a great nation. If the chief port and place of trade was to be in Europe, there were the mouths of the Dnieper, the Dniester, and the Don, as they empty themselves into the Black Sea; was it, more naturally, to be in Asia, there was the mouth of the Volga in the Caspian Sea. These are the only streams which form the natural channels in which the productions of this vast interior could easily be borne. These are the only streams which could supply the great capital of the state. At St. Petersburg, only about two thousand ships are freighted in a year, and of their freight nothing but wood is brought by water, while grain, flax, hemp, tallow, &c., are subjected to a long and costly carriage by land. The foreign trade is exclusively in the hands of foreigners. The Germans take the lead; then come the English, the French, and the Swedes. The principal traders, however, are obliged to employ Russians as their agents and go-betweens, and this is rendered difficult, by the Russian laws of trade, and the instability of the national character; for even the most honorable Russian merchant always delays payment as long as possible, not seeing that thereby his credit is marred, and his goods will have cost him so much the more. It is easy to see how difficult it must be to carry on business with such persons. Free trade might be established at St. Petersburg better than anywhere else in the world. But the duties are very high, thirty-three per cent. on the average, and though they produce fifty millions of rubles a year at St. Petersburg alone, it is obvious that this general effect is injurious to the kingdom, while moderate duties would have a good effect by promoting the expansion of trade and stimulating competition at home.

## ART. IV. — BROWNING'S POEMS.

1. *Poems*. By ROBERT BROWNING. In Two Vols. Boston: Ticknor, Reed, and Fields. 1850.

2. *Christmas-Eve and Easter-Day*. A Poem. London: Chapman & Hall. 1850.

THE two volumes first named present an inexhaustible field for the critic. Here are gathered plays, dramas, tragedies, dramatic lyrics, songs; all of them of a great and peculiar excellence. And it is not easy to designate that prevailing characteristic of all these which might attract analysis and exposition. If we have nearly made up our mind that a metaphysical faculty, both keen and profound, is the writer's gift, we suspend our judgment when he gives us some of the most subtle developments of human character and motive that exist since Shakspeare. Lest we should decide in favor of this great trait of genius, he hurries us into the domain of nature, charms us by description at once delicate and sublime, brings the fleeting graces of earth and sky to match his thoughts, gives animals an individuality, from the quick jerboa, "none such as he for a wonder," to the lion, thinking of his desert, with "the hope in those eyes wide and steady;" there is not a dead or living thing with which the poet has not the healthiest sympathy. He brings them all out, the shy birds, the dumb flowers, and encourages them to show their best side to us. He understands what is going on abroad, and translates for us the native dialects. We yield our admiration to his pictures of still life, and are on the point of calling him the artist of nature, when he gives his tube another turn. Were it not for the genial relations which all his gifts bear to each other, we should say that another poet was demonstrating before us, with the power of vivid relation, the dramatic rendering of imaginary scenes into life and wonderful movement, with inevitable word-painting, with coloring and grouping that cheapen in our estimation the best pictures we can remember. Then he tosses us a lyric, with the rich, "golden cry" of the trumpet; such as "Marching Along," "Incident of the French Camp," "The Lost Leader." Then his clear voice rolls out the sly humor of "The Pied Piper of Hamelin," and one of the "Garden Fancies." Then he breaks into a fierce scorn with "The Confessional;" recovers, and soothes himself with



the singing of "The Boy and the Angel," and those two exquisite pieces, at once song and picture, "Meeting at Night" and "Parting at Morning." Oh, then he sings songs; he is the English Beranger, is he, or the clear, smooth, lyrical part of Goethe, with an infusion of ale and animal spirits? You do not catch him so easily. Suddenly, he grows very serious, as he calls up the scenes of "Luria" to pass before you, and invites you to refresh your moral sense with a look at his Moor, the grave and sustained impersonation of Duty. As you become elevated and strengthened, he bids you look again; film after film passes over the magical mirror, each film a character or a life: the pure pathos of Mildred's lapse in "The Blot in the 'Scutcheon,'" and the fast loyalty of that real woman, her sister Guendolen, at whom you are so enraged that you cannot marry, and call her wife; the naïveté and sweet prayerfulness of Pippa, God's unconscious singer, making the true fibres vibrate in hearts that were forgetting Him; the disinterestedness, the endurance, the love of Right of Valence, rewarded by a doubling of all these in Colombe, who tells him that she prefers to her duchy, "God's earth, and thee;" the great lesson of the impulsive, ruined Paracelsus, greedy after knowledge, yet impatient of labor, forced to eke out his idea before the world with tricks of the empiric, arrogant with the desire of that which he will not obtain, his heart broken by its last throb, suggesting too late that Love should precede Power, that love itself was knowledge: — "Another yet — I'll see no more" — the line will stretch out to the crack of doom, if we look into his weird-glass so long. A goodly stint for the critic! whoever will tell us where to begin and what to choose, will ✓ save us the chief trouble we find in writing this article.

Now we recollect, Mr. Browning asks, "What's become of Waring?" We, for one, cannot inform him. On the contrary, we have always wanted to ask Mr. Browning, hoping that he would reply, as on oath, "Is there such a person as Mr. Waring?" In our own community, one or two disappearances have been chronicled within the month, but we must confess, with due deference for the feelings of anxious friends, no case of a person supposed missing has interested us like this of Mr. Waring — if there be such a person. That is our only difficulty. Such drafts are made upon sympathy nowadays, that we have determined to spend no more upon Mr. Waring, if he be really fictitious, that is, only fictitiously real. In that case, nothing but our admiration at the artistic skill of the cheat will repress

our indignation at having wasted so much interest and feeling upon the vagabond, whom we have expected every day to call with a printed circular, intimating genius in distress, turned out of Russia for conspiring, nearly starved in Vishnu-land, with trying to get up an Avatar on precarious pulse, and now begging his way back, with a sublime nonchalance, whether you give him blessing or banning, to Mr. Browning.

Somebody, who pretends to have seen this Waring, describes the circumstance to the anxious poet, thus : —

“ We were sailing by Triest,  
Where a day or two we harbored :  
A sunset was in the west,  
When, looking over the vessel's side,  
One of our company espied  
A sudden speck to larboard.  
And, as a sea-duck flies and swims  
At once, so came the light craft up,  
With its sole lateen-sail, that trims  
And turns, (the water round its rims  
Dancing, as round a sinking cup,)  
And by us like a fish it curled,  
And drew itself up close beside,  
Its great sail on the instant furled,  
And o'er its planks, a shrill voice cried,  
(A neck as bronzed as a Lascar's.)  
' Buy wine of us, you English brig?  
Or fruit, tobacco, and cigars ?'  
—— The boy leaned laughing back ;  
And one, half hidden by his side,  
Under the furled sail, soon I spied,  
With great grass hat, and kerchief black,  
Who looked up with his kingly throat,  
Said somewhat, ——.”

That's a glimpse of Waring, and of an exquisite sea-piece. The reader will admire precisely what he should, without forcing us to italicize for his dulness. We began this article with a resolution not to quote a line. One might as well leave out the part of Hamlet. Without some specimens, it is impossible to appreciate the life and nature of Mr. Browning's dramatic romances. The characters are as substantial and probable as the landscapes; they are reproduced with all the vividness of thought and feeling belonging to a history. The illusion is complete. In such pieces as “ Waring,” “ My Lost Duchess,” “ The Flight of the Duchess,” you cannot be persuaded that

real persons, with their fates and qualities, are not depicted. You long to know more about them, for their imagined acts and situations have won you completely, enlisting heart and soul in their behalf. You sit with the book in your hand, striving to extract, here and there, some hint of their subsequent fortunes, or some clue to the discovery of who they really were. And this strong charm of authenticity is not dissipated by a frequent perusal, for, as in a genuine history of note, you do not at once embrace and appreciate all their traits. They are as worthy of study as though they were true. They are not lay-figures, nor are they painted in single attitudes, but they have all the manifoldness that comes with years and varied fortunes. The story related may be simple enough, but it is transfused with the life's blood of the actors; you do not see merely so much of them as is adequate to the incident, but, as in real life, you are conscious of their reserved power and character. Chance touches reveal to you a world of feeling or passion, and a couple of lines gives you a lustrum of their lives.

This verisimilitude appears even in such short and slight productions as "The Lost Leader," which is so true to the predicament of a great man, who has deserted the cause to which he devoted his youthful eloquence, and so earnestly deprecates having any thing more to do with it, that we revive our memory of English history for the last twenty years, to find the original. But all these figures receive their breath of life from the poet's genius. It is in the "Flight of the Duchess" that this dramatic vitality is most apparent. The first four lines connect the story with a listener who has evidently been indulging in some of his own surmises wide of the truth. Mr. Browning everywhere shows the greatest art, in suggesting by a line, a phrase, or a parenthesis, all the accessories of the scene. In the dramas, an interlocutor will carry on his own thought, and at the same time indicate by the coloring of his language how his listeners receive it, how they look, what they are probably meditating. Their presence punctuates his whole address. The story of the Duchess is told by the Duke's favorite retainer, his huntsman. The little lady, "a white crane bigger," was taken out of the convent one day to be married to the Duke, who had just returned home, after long travel, with his "sick, tall, yellow" mother. She was a mother-cat, and had claws. He was one of your middle-age-manners adapters; the dilettanti, in Paris, had told

him what magnificent things the old baronial customs were, and had put him up to reviving

"all usages thoroughly worn out,  
The souls of them fumed forth, the hearts of them torn out."

He was a very stiff suit of clothes indeed, and our friend, who had inherited a bluff, honest German heart, with speech and spirit of the true pine savor, was extremely annoyed at all his solemn fopperies. But he was the little lady's friend as soon as she reached the castle gate: poor child, they received her with all the geniality of a water-cure establishment.

"The Duke stepped rather aside than forward,  
And welcomed her with his grandest smile;  
And, mind you, his mother all the while  
Chilled in the rear, like a wind to Nor'ward;  
And up, like a weary yawn, with its pullies  
Went, in a shriek, the rusty portcullis;  
And, like a glad sky the north wind sullies,  
The lady's face stopped its play,  
As if her first hair had grown gray."

A plain case of incompatibility. Nobody but our friend the huntsman, with his unadulterated Indian instinct for nature, ever found out what heart and fire she had. How he watched her: in a day or two he saw, by her looks, that she had concluded

"This is all a jest against God, who meant  
I should ever be, as I am, content,  
And glad in his sight; therefore, glad I will be!  
So, smiling, as at first, went she."

We take the placid little lady's part, and begin to surmise, not without indignation, that the cat and the monkey mean to worry her to death between them for amusement. Found in a convent — doubtless an orphan, then; no friends to smuggle her through a postern gate, or catch her from a short rope tied to her chamber window, and gallop her out of the duchy. As for trying to escape alone, if she ever thought of that, leaning sorrowfully out of the casement, she gave it up with a shudder, at sight of the "great, wild country," nothing but sheep-range and cattle-tract, and "one vast, red, drear, burnt-up plain," full of forges and wild furnace-men,

"Till, at the last, for a bounding belt,  
Comes the salt sand hoar of the great sea-shore."

An interesting prospect of personal adventure for a lady no bigger than a white crane! Why does not our friend, who has the run of the stakes, help her off, and perhaps go with her? "You shall hear." One fine autumn day, the Duke determined to get up a grand middle-age hunt, judging, upon reference to the calendar, that it would be just then extremely feudal. All the old books were ransacked, antique jerking and trunkhose laboriously induced, and "woodcraft's authentic traditions" rehearsed. But the Duke could not be happy till he had found out the lady's function also. Somebody, upon consulting the authorities, discovered that it was ordained, in eminent deference to the female character, that she should "preside at the disembowelling." Certainly, our little lady must have become rather soured, for she declined the pleasure.

"The Duke, dumb-stricken with amazement,  
Stood for a while in a sultry smother,  
And then, with a smile that partook of the awful,  
Turned her over to his yellow mother,  
To learn what was decorous and lawful;  
And the mother smelt blood with a cat-like instinct,  
As her cheek quick whitened thro' all its quince-tinct."

She receives such a screed as only an old yellow mother-in-law with creepy whiskers can give; and the Duke meditates revenge. Well, on the very morning of the hunt, a troop of gypsies come up to the castle with their annual gifts. Their guardian angel seems to be "the oldest gypsy then above ground," and ugly in proportion; altogether a weird and uncomfortable presence. A thought strikes the Duke as soon as he claps eyes upon her; he will give his anti-exciterative wife a good fright by way of punishment. So he bends over his horse's neck, and whispers the whole history of her ingratitude into the crone's eager ears, who instantly appreciates it, contrary to his intent, while she promises to do his bidding. And forth the Duke fares to his dandiacal boar-hunt.

This old witch was a personage. No sooner has he turned his back than she drops the crone and becomes the queen-gypsy; the dress alters its arrangement, the head sits imposingly erect, the eyes light up with meaning. Our friend rather dubiously shows her the way to his little pining lady, and takes measures to watch her. Shortly, from a balcony, he witnesses the strange scene of the lady, passive and radiant at the feet of the gypsy, drinking in grateful influence from those mystic eyes and slow-fanning hands; and the woman sings. From

this matchless chant, in which the beneficent crone wins over the harassed lady to escape with her to gypsy-land, and feel there "how love is the only good in the world," we must quote the following; nor will we promise that it shall be the last from a poem each line of which throbs with vitality; either a laugh, a grace, or a tear: —

"We are beside thee, in all thy ways,  
 With our blame, with our praise;  
 Our shame to feel, our pride to show,  
 Glad, sorry — but indifferent, no —  
 Whether it is thy lot to go,  
 For the good of us all, where the haters meet  
 In the crowded city's horrible street;  
 Or thou step alone through the morass  
 Where never sound yet was,  
 Save the dry quick clap of the stork's bill,  
 For the air is still, and the water still,  
 When the blue breast of the dipping coot  
 Dives under, and all again is mute.  
 So at the last shall come old age,  
 Decrepit, as befits that stage;  
 How else wouldst thou retire apart  
 With the hoarded memories of thy heart,  
 And gather all to the very least  
 Of the fragments of life's earlier feast,  
 Let fall through eagerness to find  
 The crowning dainties yet behind?  
 Ponder on the entire past  
 Laid together thus at last,  
 When the twilight helps to fuse  
 The first fresh, with the faded hues,  
 And the outline of the whole,  
 As round eve's shades their framework roll,  
 Grandly fronts for once thy soul;  
 And then as, 'mid the dark, a gleam  
 Of yet another morning breaks,  
 And, like the hand which ends a dream,  
 Death, with the might of his sunbeam,  
 Touches the flesh and the soul awakes,  
 Then —"

Then, indeed; but, no matter about *then*, with such poetry as this *now*, — such an embodiment of summer silence, such a picture of the pure tranquillity of age, such trumpet-words, prophesying the birth in death. Match those lines in English if you can, reader; we challenge you, presuming that you

have not skipped them, but read them till you have become transfused into their spirit.

Our friend the huntsman is occasionally coarse, as he ought to be, "born in the kennel;" he airs his vocabulary just enough to be characteristic, without diminishing our respect for his tenderness and loyalty to the Duchess. Nobody objects to Dogberry's dulness or to Falstaff's license; the latter perils virtue as little as the former does intelligence. The huntsman is an admirable specimen of a noble nature, far above his condition, the soul of true delicacy and honor, cherishing the little plait of hair that the Duchess gave him, and that last look, which "placed a crown" on him, yet with his speech savoring now and then of the buff-coat and woodcraft, and a phrase or two caught up in the purlieus of the ducal stables. We like him all the better for his plainness. We know that it is not a supernumerary in livery, "for this night only." He hates that mother-in-law too cordially not to have known her. How refreshing it is to hear the whole-souled disgust with which he describes the cosmetical appliances of the ferocious old mammal: —

"Until she grew, from scalp to udder,  
Just the object to make you shudder."

✓

Alter a word, and you annihilate the forester. After all, he was cautious how he trenched "more than needs on the nauseous;" otherwise, we can easily imagine how he might have favored us with "sundry touches." And when he has told his story, and made a clean breast of it, why,

— "my heart's blood, that went trickle,  
Trickle, but anon, in such muddy dribblets,  
Is pumped up brisk now, thro' the main ventricle,  
And genially floats me about the giblets!"

Here are all the marks of genuineness that a theologian could desire; he had evidently quartered the boar and stag in his day. But here is the true heart of the man, with which we conclude. Notice the delicate freedom of his touched remembrances, (Jacynth was his wife,) as he parts from the Duchess: —

"Then, do you know, her face looked down on me,  
With a look that placed a crown on me,  
And she felt in her bosom, — mark, her bosom, —  
And, as a flower-tree drops its blossom,  
Dropped me — ah, had it been a purse  
Of silver, my friend, or gold, that's worse,

Why, you see, as soon as I found myself  
So understood, — that a true heart so may gain  
Such a reward, — I should have gone home again,  
Kissed Jacynth, and soberly drowned myself!  
It was a little plait of hair,  
Such as friends in a convent make  
To wear, each for the other's sake, —  
This, see, which at my breast I wear,  
Ever did (rather to Jacynth's grudging),  
And ever shall, till the day of judgment."

We do not find the condensed energy and meaning of Mr. Browning an objectionable trait. Hamlet has to be studied a little, and we remember that Beethoven's symphonies do not possess us till we have heard each half a dozen times. Mr. Browning seems to take his poems, after writing them, and crush them together at both ends, till he gets the well-knit symmetry and consistency of a Bedouin; he succeeds in making a sort of intellectual and spiritual pemmican. Sometimes, indeed, the desire to produce something dense and nervous gets only obscurity for its result, instead of an effective vivacity. When Mr. Browning began to write, we say, with deference, that this was his besetting sin. One of his former productions, "Sordello," not included in the present volumes, is full of passages in which the sense is sacrificed to an insane hatred of more words than will suffice to parse them baldly; and even then the reader must have a very suggestive imagination to give the skeleton its motor muscles. Sordello, in fact, is not a poem, though it contains poetical passages. We laboriously surmise that the idea of Sordello's life and fortunes, as it rested in the brain of the writer, was a poem; of this we get hints enough to justify the impulse of his pen, but he does not strike out the form clear and smooth. The colossal block is left, with lines of beauty lost in parts that remain rough-hewn, or running off into intricate network, as if the innermost nervous structure alternated with the rounded skin. It is as if Kant set himself to restore the torso of an Apollo. "Sordello" is a metaphysical treatise, occasionally interspersed, but hardly relieved, with some exquisite pictures of life and art. We contemplate, for instance, that passage in which Sordello finds the marvel of a marble font supported by shrinking caryatides, in the dim room just kept alive by golden haze of the sunset, as Sordello contemplated the sculpture itself. It is a most perfect rendering of a work of art; endued, moreover, with such individuality



and passion, that we return to it as if we knew that some nemesis had petrified the frail group of sisters in mid-life, in the first blush of their too fond compliance. We return to the sad study of so much beauty riveted in a penance, whose grace makes us pray for a deliverance : —

—— “ Surely, our maiden shrinks,  
And a smile stirs her, as if one faint grain  
Her load were lightened, one shade less the stain  
Obscured her forehead —— ”

Twice-sculptured forms — by the chisel of art and the pen of a passionate fancy ! Then, too, *Sordello* contains some of Mr. Browning's happiest lines and phrases. He gives us this for a sunset piece : —

“ A last remains of sunset dimly burned  
O'er the far forests, like a torch-flame turned  
By the wind back upon its bearer's hand,  
In one long flare of crimson ; as a brand  
The woods beneath lay black.”

He sketches a crowd of hearty haters, in Verona's market-place :—

“ Letting the silent luxury trickle slow  
About the hollows where a heart should be : ”

lines appropriately malignant, and better than the paradox which he sports in *Paracelsus*,

“ To know that hate is but a mask of love.”

Could any thing be better than some of *Sordello's* disenchantments ? — like,

—— “ the poppies' red effrontery  
Till Autumn spoils their fiercing quite with rain,  
And, turbanless, a coarse brown rattling crane  
Protrudes.”

We have marked many other passages in “ *Sordello*,” even more worthy than these, but too long to quote. Yet it is not a poem : the analysis of *Sordello's* different moods, and the computations of his growth, are purely metaphysical. They are very obscure, also, from excess of denseness ; nor do they always repay a deliberate precipitation into Saxon sense. To attempt doing any justice to the work, a separate criticism should be awarded to it. In the mean time, we feel that Mr.

Browning's defects largely predominate in it, and it must ever remain "a bitter-sweetling of a book."

These defects recur with diminished strength in the volumes before us. We say that sometimes his desire to condense begets obscurity. And he also attempts sometimes to cram too many related ideas into the breath allowed for a period. He thus gives a confused impression. The fancies throng to the pen's point, throwing dashes and commas behind them, till they get out of sight of their arch instigator in the first lines. Upon page 291, of Volume II., is an instance of this. We love to linger over such passages, grudging no time till we tie the two ends together: then we can enjoy the picture so munificently grouped. It is no condemnation of such pages to say that few people will consent to bestow so much time and labor upon them. The lovers of a smooth poetry which can be caught at a glance, or of an easy flow of didactic thought which does not harass the average intellect, cannot sit in judgment upon Mr. Browning's involutions and lengthy crescendos, for they are not the persons who wait to see whether the picture, at first so confused and apparently destitute of a leading group or idea, is worth the contemplation which may finally reproduce the poet's point of view, and thus call a beautiful order out of the prodigal chaos. Yet, whenever Mr. Browning's pen riots in this way, it seems to us a fault in art; he would do more justice to his own point of view, and satisfy equally well his affluent impulses, by breathing his pen more frequently. This would humanize, not popularize, some of his pages, and they would carry captive many more lovable hearts.

We may mention, also, a propensity for excessive self-introversion, which sometimes sends off his characters maundering to themselves, when they should be forwarding the business of the piece. They have the trick of Hamlet, without the apology of Hamlet's express design to impersonate precisely this trick. A collateral analogy will sometimes throw the man back upon himself, and he drops the main thread to elaborate it, in half a dozen subordinate lines. These asides not infrequently occur when the action of the piece is urgent. Here is an instance of an ethnological speculation grotesquely flawing a crisis; it is in the "Return of the Druses." Djabal is the son of a Druse mother, of Lebanon, and a French father. His European culture enables him to pass among his tribe, and mainly for their benefit, as the expected Hakeem, or reincarnation of

the first Druse prophet of that name ; his friends wait for the critical moment when he will manifest his divine attributes and deliver the nation. But the Druse maiden, whom he loves, betrays him at the very time when success or death is his alternative. His policy lies shattered at his feet ; a single word may terminate the whole business of the piece tragically, when he thus soliloquizes in the midst of his passionate astonishment : —

“ I, with my Arab instinct, thwarted ever  
By my Frank policy,— and, within turn,  
My Frank brain, thwarted by my Arab heart —  
While these remained in equipoise, I lived  
— Nothing ; had either been predominant,  
As a Frank schemer or an Arab mystic,  
I had been something ; now, each has destroyed  
The other — and behold, from out their crash,  
A third and better nature rises up —  
My mere Man's nature ! ”

Such a mental estimate may occur among the intense conceptions excited by a single mortal moment, but it cannot attract the man's attention ; it is instantly swallowed up in the ruling dread or hope. Therefore the artist cannot select it as an element of the situation which he endeavors to present. It is alien to the time and place, and reminds us of the nonchalant faces of themselves, which medieval painters sometimes introduced in a transfiguration or crucifixion. We now and then find Luria speculating with the same disregard of his situation. So does Paracelsus refine upon himself and criticize his agonies. The thoughts are often very just and subtle, but the piece ceases to be a drama, and grows psychological. We are glad to possess in print so much fine analysis of human motives and mental varieties, but we cannot help thinking of the discriminating Scotchman, who preferred the hairs upon a separate dish. Mr. Browning keeps us too often distracted between the longing for artistic harmony and the wish to avoid sacrificing so much material of intrinsic merit.

This does not trouble us so much in Paracelsus, because there is no attempt to place the characters in the dramatic action of real life. There is nothing to prevent us from dispassionately studying Paracelsus as dissected by himself. On his death-bed, he gives us nearly eleven pages of a discussion upon the nature of man, and the need of establishing knowledge upon love. The thoughts are so grand, the fancy

is so rich and illustrative, the whole mood is so sublime, that we forget the dying man upon his pallet, and the listening friend, completely rapt and charmed away from all ideas of unity into regions of still meditation. Thought urged with eloquence holds us enthralled; noble and finished figures surprise and stimulate us; the poet nods in not a single period. We remember the ascetic loftiness of Milton's metaphysics, only to feel them at last depreciated, for they are the mere *discursus* of a theologian compared with the domestic thoughts and the tender, human religion in Paracelsus. At last, we have a body of divinity clad in the glowing colors of the epic, speaking with the clear, bright voices of the lyric. Reader, let us enjoy some of these lines together. Is the following unworthy of the *Paradise Lost*? God creates:—

“The centre-fire heaves underneath the earth,  
And the earth changes like a human face;  
The molten ore bursts up among the rocks,  
Winds into the stone's heart, outbranches bright  
In hidden mines, spots barren river-beds,  
Crumbles into fine sand where sunbeams bask,—  
God joys therein! The wrath sea's waves are edged  
With foam, white as the bitter lip of Hate,  
When, in the solitary waste, strange groups  
Of young volcanoes come up, cyclops-like,  
Staring together with their eyes on flame;—  
God tastes a pleasure in their uncouth pride!  
Then all is still: earth is a wintry clod;  
But spring-wind, like a dancing psaltress, passes  
Over its breast to waken it; rare verdure  
Buds tenderly upon rough banks, between  
The withered tree-roots and the cracks of frost,  
Like a smile striving with a wrinkled face;  
The grass grows bright, the boughs are swoln with blooms,  
Like chrysalids impatient for the air;  
The shining dorrs are busy; beetles run  
Along the furrows; ants make their ado;  
Above, birds fly in merry flocks,—the lark  
Soars up and up, shivering for very joy;  
Afar, the ocean sleeps; white fishing-gulls  
Flit where the strand is purple with its tribe  
Of nested limpets; savage creatures seek  
Their loves in wood and plain; and God renews  
His ancient rapture! Thus He dwells in all,  
From life's minute beginnings, up at last  
To man,—the consummation of this scheme

Of being,—the completion of this sphere  
 Of life : whose attributes had here and there  
 Been scattered o'er the visible world before,  
 Asking to be combined — dim fragments, meant  
 To be united in some wondrous whole,—  
 Imperfect qualities, throughout creation,  
 Suggesting some one creature yet to make ;  
 Some point where all those scattered rays should meet,  
 Convergent in the faculties of man."

If you have read all that, you are willing to enjoy just a few lines more. Such as these :—

"Man, once descried, imprints forever  
 His presence on all lifeless things ; the winds  
 Are henceforth voices, in a wail or shout,  
 A querulous mutter, or a quick, gay laugh,—  
 Never a senseless gust, now man is born !"

True of thee, my poet, at least.

"The herded pines commune, and have deep thoughts,  
 A secret they assemble to discuss,  
 When the sun drops behind their trunks, which glare  
 Like grates of hell.  
 The morn has enterprise, — deep quiet droops  
 With evening ; triumph takes the sunset hour,  
 Voluptuous transport ripens with the corn  
 Beneath a warm moon like a happy face :  
 — And this to fill us with regard for man."

The dying Paracelsus ignores dramatic proprieties, to talk with us concerning God ; to lend to dumb, wistful nature, waiting for man's recognition, the hues of his great human spirit, brightening towards the close to fill us with faith and brotherly love. This is the loftiest effort of Mr. Browning's genius ; he resigns part of its manifoldness, the fresh, earthy humor, the subtle irony, for a great recompense in solemn conceptions of the nature of God. Solemn, yet cheerful, mingling with his vital fancy, like thoughts of death long past, with the sunshine lying aslant the placid hearth. No man can read without acknowledging that here poetry fulfils her highest object. She takes of the things of God and shows them unto men.

And we are disposed to say the same thing of many other landing-places in Paracelsus. Some may consider it, as a poem, with interlocutors, too long for one that is so devoid of action to break up the current of meditation. It does not

become an object of personal interest with the first reading; people have doubtless skipped a dozen of its speeches. But let each speech, or perhaps each part of the poem, be taken on its own merits, and let Paracelsus talk as long as he pleases, without a hankering that he should be interrupted by his friends. In other words, accept it as a meditative poem, too grave to entertain a reminiscence of the theatre, and too earnestly developing a great idea to unbend in many solaces of the romance or lyric, and its vitality will enrich hours of quiet leisure. It is filled with a rare knowledge of human motives and the operations of the mind. Sometimes other thought and illustration are remote, and the reader cannot immediately possess a conception of the page. Whoever wearily turns the leaves, then, in suspicion that some thing obscure from ultra refinement or collateral analogies seeks to detain him, will miss many passages capable of a generous yield to small labor. It is dangerous to turn the leaves too hurriedly. Sometimes the coupling of a natural grace with a very subtle thought has all the surprise of wit. Again, a gem with a new flash and color will be dug out of lines that look most unpromisingly didactic. Unlike *Sordello*, this poem contains no passages out of which the process of condensation has squeezed the little conjunctive particles which keep the sense alive till the lines are little more than strings of verbs and nouns. We released once twenty-five lines of *Sordello* from Mr. Browning's hydraulic pressure, and it did not recover its normal state short of half a sheet of English. It is plain that ether cannot be inhaled in cakes. In *Paracelsus*, the natural elasticity of thought is never so cruelly compressed.

This poem contains Mr. Browning's noblest lyric. *Paracelsus* sings it, and it embodies the story of his life's failure. It is —

"The sad rhyme of the men who proudly clung  
To their first fault, and withered in their pride."

The unbalanced activity of his intellect sallied forth impetuously after knowledge; unbalanced by wants of the heart, and untrained by a renouncing, scientific study. Without the one, he became the solitary, joyless misanthrope, using his knowledge for contemptuous comparison, and blunting his nerves in sudden fits of riot; wanting the other, he was compelled to resort to the shifts of the empiric, to justify the great pretence which his youthful ambition set up among his fellows. Between

Paracelsus and Cagliostro was the difference of motive. The hero of the diamond necklace was nothing but an adroit and hungry swindler. But the mystical chemist, carrying his newly-discovered laudanum in the hilt of his sword, and permitting people to believe it a spirit, was the victim of a position honestly, but prematurely assumed by his inordinate desires. He sings —

“ We knew, too late,  
How bare the rock, how desolate,  
To which we had flung our precious freight.”

Whether we consider the perfection of its versification, or the sustained and delicate illustration, it would be difficult to match this lyric. After becoming familiar with the poem, the frame warms as you approach it, and you anticipate its movement as you do the choice passage in a symphony. The poem prepares for it, and lets you into the change of key with grace and a sweet surprise: and it is impossible to imagine a single letter or comma of it, whose alteration would not mar the melody. His buoyant ambition puts out to sea, with the glow and rhythm of youth itself: —

“ Over the sea our galleys went,  
With cleaving prows in order brave,  
To a speeding wind and a bounding wave,—  
A gallant armament ——.”

There is joy, triumph, a stunning disappointment, and pure pathos for its close.

But Paracelsus has become a confirmed alien from human love. His undiminished ambition has grown gross from his occasional excesses and enforced deceits; whenever the friend of his youth seeks to open before him a nobler aspiration, asking to let God “ kindly pioneer a path ” for him into His love and service, the jaded spirit slinks back to its clay, oppressed by a friendliness that only reminds him of his weakness.

“ No, no; learn better and look deeper, Festus!  
If you knew how a devil sneers within me,  
While you are talking now of this, now that,  
As though we differed scarcely save in trifles!”

All this obstinate and petulant resistance is truthfully delineated. Just as truthful is the occasional flaming forth of the old thoughts, mixed with the hope of a new youth estab-

lished in God's love, which the shattered brain will refuse to realize : —

“ How very full  
Of wormwood 'tis, that just at altar service,  
The rapt hymn rising with the rolling smoke,  
When glory dawns, and all is at the best —  
The sacred fire may flicker, and grow faint,  
And die, for want of a wood-piler's help !  
Thus jades the flagging body, and the soul  
Is pulled down in the overthrow.”

Not so,—or, if at all, yet soon to recover its best ideas, and vindicate in some condition, and in the ranks of some service, the pains-taking hand of the Creator. Paracelsus already gathers the embers together, to make out by the tremulous light the long missing fugitive, who comes back at last, asking to be recognized, “ the instinct of that happy time ” when he vowed his help to man. They know each other, the outcast ideal and the repentant parent-spirit ; reconciled, at last, they depart for meeker latitudes, leaving beggary and ruin : —

—— “ I press God's lamp  
Close to my breast — its splendor, soon or late,  
Will pierce the gloom : I shall emerge one day.”

What the poet Aprile told him about excluding Love from his earthly service is all true ; love and knowledge, “ halves of one dissevered world.” He pledged his faith to Aprile, but the demoniac intellect soon struck again at the soaring quarry, and sent it into denser air. The touching song of Aprile, that won him so long ago, comes back to the failing sense, with its pathos deepened by his ill-fortune, its lines of truth chiselled out clear by his remorse. The words of warning remain to be his epitaph : —

“ Lost, lost ! yet come,  
With our wan troop make thy home :  
— we trusted thou shouldst speak  
God's message, which our lips, too weak,  
Refused to utter.—  
How shall we better arm the spirit ?  
Who next shall thy post of life inherit ?—  
How guard him from thy ruin ? ”

Paracelsus is a noble poem. To the service of this great,



neglected thought which it contains, Mr. Browning has brought all the manifoldness of his genius. The careful analysis of moral states and tendencies is scarcely less rich in diction than the passages of feeling and description; the illustration is always inevitable and completely finished. From beginning to end, it is full of mental life; the discourse has the serious probable air, shared by all of Mr. Browning's characters. They talk with right good-will, under the stress of the moment; all their moods are reported as earnestly as if they were the actors in some popular subject of yesterday, instead of being so far removed by the abstraction both of time and thought. Moreover, we believe that Mr. Browning has described the precise variety to which Paracelsus belonged. If we consult history, we shall find that he is put down as half-mystic, half-quack, with a dash of enthusiasm. Now and then, some one will acknowledge that his chemical works are full of suggestion, and that, like Swedenborg, he has vaguely anticipated several results of modern investigation. But we nowhere find stated the exact amount of manliness and genuine purpose which he possessed; for he had them. No man will write, work, persevere as he did, for the sake of sustaining a life-long deception. Your veritable quack lives from hand to mouth, shuffling cards, dabbling in stocks, and paying dividends to stockholders out of the principal, blowing forth Mississippi and South Sea bubbles — turning up, like friend Waring, in Russia, to sell the czar his latest invention; in Spain, to manage the commissariat of grumbling peninsular armies; in New York, with the plan of a great Western city, not yet emerged from the primeval element. Your literary quack, none the less veritable for his pen, is half chiffonier, half thief, picking in the dust-heaps around clubs and athenæums, dining out, and embezzling all the private scandal, soon to appear in a biography of authors; making very plausible volumes with an editorial scissors, and selling himself to whatsoever interest is momentarily deluded by his cheapness. But, so far as motive is concerned, we would as soon call Jacob Behmen a systematic charlatan, as Aureolus Paracelsus. The chemist never would have worked so, if he merely wished to get a living. And the story of his indignant demolition of the canon, who refused to pay him for the successful employment of the miraculous laudanum, and his quarrel with the authorities, who took the canon's part, is a mark of honesty. The genuine quack goes constantly lubricated, and, like the snail, is always careful to carry his retreat with

him. He avoids a quarrel with the true curriish skulk. He takes care not to spoil his business by any special demonstrations of manhood. If the object of Paracelsus was to enjoy a premature fame, in the notoriety which his treatises and lectures procured, he would have discontinued his investigations when he fell into disgrace; would have taken to preaching, perhaps, and made his living out of the Reformation; or become court physician, under a new name, in Constantinople or London. We believe that Mr. Browning's poem resuscitates, by the spell of analogy and analysis, the veritable Paracelsus — we mean, his motives and conflicts. He has put into his mouth some noble theology, which Paracelsus may or may not have dimly divined, some acute criticism and exquisite poetry, all of which we will credit to the writer. But we have the moral and nervous structure of the man, the cause of his failure, the key to this variety of humanity wherever found. We have no doubt that Paracelsus, in the second state, upon application, would endorse every line that purports to represent his prevailing tendencies and characteristic defect. Plenty of popes and kings there would serve as diagrams, while he lectured to the effect, that he was like a man who mistakes a taste for the drama for dramatic talent, whose youthful enthusiasm pledges him for life to a position in which clap-trap is a species of self-defence, and the need of self-defence excludes all nobler second-thoughts. To tell this painful and salutary story, Mr. Browning has well selected Paracelsus, expanding the meagre notices of his life into the finished history of a soul. The poem reminds us of the feats of Professor Agassiz, who reproduces those extinct hybrids from the hint of a scale or a vertebra. It will last till men have ceased to love life, thought, and nature.

We notice that, now and then, Mr. Browning affects an unnecessary intensity; his pen is caught by the paper with a scratch and a spatter. One of the best meditations of Paracelsus is slightly marred in this way. The following is only a conceit, put with great vigor: —

—— “ Make no more giants, God!  
But elevate the race at once! We ask  
To put forth just our strength, our human strength,  
All starting fairly, all equipped alike,  
Gifted alike, all eagle-eyed, true-hearted —  
See if we cannot beat thy angels yet!”

It is possible, however, that Paracelsus, surnamed Bombastes, and giving a name to the style which he originated, might have indulged in similar remarks; on which ground he may have the whole credit of the following strenuous whimper:—

“ We get so near—so very, very near!  
 ’Tis an old tale; Jove strikes the Titans down,  
 Not when they set about their mountain-piling,  
 But when another rock would crown their work.”

But here is an outbreak, which caricatures rather than represents human pride:—

“ But if my spirit fail,  
 My once proud spirit forsake me at the last,  
 Hast Thou done well by me? So do not Thou!  
 Crush not my mind, dear God, though I be crushed!  
 Hold me before the frequency of thy seraphs,  
 And say—‘ I crushed him, lest he should disturb  
 My law.’ ”

That distinction between his mind and himself would fetch a liberal price in Germany before the next semester, and might be useful in proving the Trinity. Certainly, Mr. Browning need not exaggerate his own vitality, to rivet our attention to the current of his thought; we are already pledged to him, heart and soul, and do not like to stop to pick up his conceits. We feel as if he were imposing upon our friendship. All this gnarled undergrowth should be cleared away, to let us have a clear vista among the noble trees. A prompt and willing vivacity is his Ariel, always within call; there is not a man living who need so seldom urge his pen. Pity the slit did not catch these imps of conceits as they are sliding triumphantly into fame.

But we wish to avoid giving the impression that they are frequent. And we cannot leave “Paracelsus,” without sharing with the reader a few more of the shorter passages, full of felicitous lines, for we would tempt him to love the poet. The life and motion of the poem begin almost immediately. Each meditation has its climax, the beauty and tenderness scattered everywhere prepare us for the majesty of the close. Parts of the latter we have already quoted. Here is something on the first page. Michal will say—

— “ This autumn was a pleasant time,  
 For some few sunny days; and overlook  
 Its bleak wind, hankering after pining leaves.”

We are principled against italics. Here is Constantinople, in the sunset : —

“Over the waters, in the vaporous west,  
The sun goes down, as in a sphere of gold,  
Behind the outstretched city, which, between,  
With all that length of domes and minarets,  
Athwart the splendor, black and crooked runs,  
Like a Turk verse along a scymetar.”

Here is a specimen of grave satire, subsiding in the pathos of nature : —

“I helped a man to die, some few weeks since,  
Warped even from his go-cart to one end —  
The living on princes' smiles, reflected from  
A mighty herd of favorites. No mean trick  
He left untried ; and, truly, well-nigh wormed  
All traces of God's finger out of him,  
Then died, grown old ; and just an hour before —  
Having lain long with blank and soulless eyes —  
He sate up suddenly, and, with natural voice,  
Said that, in spite of thick air and closed doors,  
God told him it was June ; and he knew well,  
Without such telling, hare-bells grew in June ;  
And all that kings could ever give or take,  
Would not be precious as those blooms to him.”

Thus death reveals at last a long-mortified affection. Here is a way to have the morning dawn : —

—— “The heavy darkness seems  
Diluted ; grey and clear without the stars ;  
The shrubs bestir and rouse themselves, as if  
Some snake, that weighed them down all night, let go  
His hold.”

Festus sings to the dying Paracelsus, and brings thoughts of remembered scenery to soothe him : —

—— “The river pushes  
Its gentle way through strangling rushes,  
Where the glossy king-fisher  
Flutters when noon-heats are near,  
Glad the sheltering banks to shun,  
Red and steaming in the sun ;  
Where the shrew-mouse, with pale throat,  
Burrows, and the speckled stoat ;  
Where the quick sand-pipers flit  
In and out the marl and grit,  
That seems to breed them, brown as they.”

But all these things which we can quote are much finer in their connection; they are parts of the poems of nature. Bring your sea-weed with its delicate flush from the still pool, where you found it floating, the whole truth of water and sky conspiring with its grace, to spread it isolated on the sheet, and it looks less worth spreading than before.

The fast-diminishing space admonishes us that we have yet the greater part of this new archipelago to sail through, and taste the different fruits, while we have hardly indicated the beauties that remain behind. Visit the Jardin des Plantes to appreciate the hopeless bewilderment of the critic fairly turned into Mr. Browning's menagerie, aviary, flower-garden, and halls of relics, with the door slammed behind him. None of the Plays have yet been noticed,—nothing said yet about the innocent Pippa, with her holiday ministry, a pure voice of nature, Heaven's opportunity to redeem many sinful hearts, and each of these hearts, too, worth our sympathy; no love yet expressed for Guendolen, who is God's grace and woman's fidelity to the erring Mildred, and one of Mr. Browning's most natural characters, beckoned apart from the living throng of the street, before she has learned the tricks of self-consciousness; no hint of the subtle developments in the "Soul's Tragedy," with its racy prose, pitting sly papal reaction against a patriotism none of the purest,—and not yet a line of Valence's integrity, enamoured of Colombe, another real woman, unspoiled by a year's splendor, resigned to the legal claimant—Valence, the true Duke's generous rival in love, but at last the husband of simple Colombe—Valence, the man, left alone with her undisturbed content when the courtiers rushed like motes to the new magnet. It is with the hope of gleaning in this rich field again, that we content ourselves now with "Luria."

To our perception, this play is not so artless and human as the "Blot in the 'Scutcheon;" its fortunes do not touch our feelings so deeply. Guendolen and Mildred uncover the heart's well; they draw for us the pathos of home, and the same draught mingles sadness for the catastrophes of sin with gratitude for home's loyalty and mercy. Yes, we thank Guendolen with our eyes and hearts, for she succeeds in assuring us that God will yet find the sullied Mildred lovable. But "Luria" is grave and somewhat remote; it simply represents Duty triumphing in the midst of intrigue, and with no motive beyond the duty's self. We do not deny the grandness of the conception, and we acknowledge the impressive result; it ap-

peals to the inner man, touches conscience and honor, and helps us to understand the reserved power of character. But it is a lesson; the "Blot in the 'Scutcheon'" is an experience; the one is a drama; the other is a heart's or home's interior! Luria is stately and inspiring; but Mildred and Guendolen are of us—women kiss them; all sit and weep with them. "Luria" has, we believe, certain faults in execution, which we wish to notice.

The scene is laid at Luria's camp, between Florence and Pisa, during the complicated Italian feuds of the fifteenth century. Luria is a Moor, who offered his services to Florence at the nick of time, when Pisa pressed her hardly, and Puccio, the old Florentine commander, had been overthrown. Puccio is patriotic, but out of humor; he serves under Luria, and accords him a malicious, exceptional praise. The brave and childlike Moor is the object of several distinct conspiracies. First, Puccio, detailing trivial faults of Luria, poisons the ear of Braccio, the Florentine commissary, who understands his discontent, and makes use of it; for he has a plan of his own, to spring the sentence of a secret trial, all this time in progress, upon Luria, just when he completes his victory, in order to save the Republic from the Moor's ambition. Braccio has the Italian subtlety and suspicion; but he has overreached himself, by imputing to Luria his own duplicity. He cannot believe it possible that Luria would not abuse his success for a selfish purpose. Braccio's secretary understands him better, but is the implicit tool of his master. Then Domizia, a Florentine lady, has a twofold object in coming to the camp: she watches Braccio with deadly hatred, for Florence jealously sacrificed her family, grown dangerous by successful service; therefore she is trying all the while to instigate Luria to direct the army, flushed with victory and devoted to their general, against the Republic. Luria is not without love for her. Husain is a Moor, the friend of Luria, suspecting all these actors and their hidden motives, and urging Luria to secure his own safety by attacking Florence. The piece opens with a successful military operation of Luria, by which he cuts off the Pisans from effecting a junction with certain auxiliary Lucchese. Notwithstanding the politic delays of Braccio, who fears the result of Luria's success, a battle is fought, and the Pisans are routed. Puccio reports again certain incomplete manoeuvres; and at last Braccio sends a mission to Florence, bidding the senate pass sentence upon Luria, and nip

his possible ambition. But this despatch, as well as some previous ones, was intercepted by Tiburzio, the commander of the Pisans. So, then, here is a chance to turn Florence's victory against Florence. Can the Moor hesitate to taste revenge after seeing this despatch? There is a noble scene, when Tiburzio develops the treason to Luria, and tempts him to renounce his allegiance. So have all the rest tempted, with various motives. What a coil is this for the generous Moor, so devoid of guile as unable to suspect it; so frankly worshipping Florence with the faith of a child and the unwavering duty of a man! What a Christian Moor is this, with his foot planted on his torrid passions, and simply opposing his word of honor to the whispers of revenge! He does not even read the letter, so torn is he between the sincere, soldierly mien of Tiburzio and his faith in Florence. He will first test these Florentines. See, says he to Braccio, —

“Chance has put into my hand the means  
Of knowing what I earn, before I work!  
Should I fight better, should I fight the worse,  
With your crown palpably before me? See!  
Here lies my whole reward! Best know it now,  
Or keep it for the end's entire delight?”

The unruffled Braccio tells him that if his honor is that of the *condottiere*, he can “break seal and read,”—in which case the act will justify the writing. Domizia is there, and she exclaims: “Thank God, and take revenge.” Just at that moment Tiburzio's trumpet sounds; if Luria gives up Florence, his trumpet will not reply; then he is Pisa's. Thus ends the scene: —

“My simple Moorish instinct bids me sink  
The obligation you relieve me from  
Still deeper! Sound our answer, I should say! [doubt!]  
And thus: (tearing the paper) the battle! That solves every

Another battle consummates the salvation of Florence; then Braccio himself informs him of the secret trial, maintaining the right of Florence to institute such a procedure in self-defence. And Domizia does not believe the Moor would bear the mistrust which destroyed her own family; she was certain

“He would not bear, but live and fight against,—  
Seeing he was of other stuff than they.”

Who then will speak for the loyalty of the tempted Luria? Tiburzio appears, speaks, urges Luria to join Pisa: —

"Go you to Pisa — Florence is my place —  
 Leave me to tell her of the rectitude,  
 I, from the first, told Pisa, knowing it."

A new temptation! Braccio, imagining that Luria would consult his safety, instantly transfers the command to Puccio, who has too much soldier's honor left to take it: —

—— "I want men,  
 Their hearts as well as hands — and where's a heart  
 That's not with Luria ——?"

What will Luria do? Braccio has gone to Florence, and Husain and the lady are left to ply him with their eager recommendations of a course that is at once revenge and safety. At last, the Moor emerges from this web of intrigue; he sees the guile, but he finds in it no argument for his own dishonor. The Christian Moor: —

"I ruin Florence, — teach her friends mistrust, —  
 Confirm her enemies in harsh belief, —  
 And when she finds one day, as she must find,  
 The strange mistake, and how my heart was hers,  
 Shall it console me, that my Florentines  
 Walk with a sadder step, a graver face,  
 Who took me with such frankness, praised me so,  
 At the glad outset?"

Read this soliloquy of Luria, when the heart needs thoughts of placid forgiveness, and some man's nobleness to illustrate the idea of duty. But he takes the poison, more deadly than the virulent souls of his intriguers, who return at last to lay the love and devotion of Florence at his feet, and to hang their heads in shameful recollections. Is Braccio remorseful, or does he adroitly accommodate himself to the one generous moment of the Republic, as he says —

"Speak, Luria! Here begins your true career, —  
 Look up to it! All now is possible, —  
 The glory and the grandeur of each dream, —  
 And every prophecy shall be fulfilled,  
 Save one... (nay, now, your word must come at last,)  
 — That you would punish Florence!  
*Hus.* (pointing to Luria's dead body.) That is done!"

Such is the bald outline of a plot, clothed in thought and poetry, and alive with generous sentiments. The verse often has an elevated repose, in harmony with the impressive thought; and the style is not so involved as in some of the other plays.



The eye and sense gratefully acknowledge its breathing-places. It is transparent, finished, and has all the ease and rhythm of a self-collected woman. In a literary point of view, it is one of Mr. Browning's most finely-balanced productions; and it gives us, as all symmetrical things do, the impression of a reserve of power.

But in the expression of Luria's character there appears to us a defect: it is a diminished form of the self-consciousness already alluded to. Here is the radical difference between the men and women of Mr. Browning and of Shakspeare, — with the exception of Guendolen, Mildred, perhaps Pippa and Colombe, Valence, and Tresham. The introvertive faculty is not duly fused and tempered with the keen perception of nature and the spontaneous fancy. It is a defect in Luria, that he does not always forget himself; he speculates upon his own artlessness. He is not content with *being* the contrast to European intricacy and duplicity, but must *tell* us that he is so. We sometimes hear it said, that the present century is distinguished for its self-consciousness: this is true of the literary and speculative circles. People are continually "pulling up their beans, to see how they grow." But art must continue to represent the single-mindedness of nature. People in trouble still act in a very unsophisticated manner. A bankrupt, or the victim of a conspiracy, must have a highly finished education, to take pleasure in watching the throbbing of his own exasperated nerves. Luria talks so well about his Arab instincts that we doubt the purity of his breed; sometimes, we must confess, he has appeared to us like Mr. Browning in a tableau. Take the following as a specimen; bearing in mind, too, that the poison works in him while he speaks; Djabal might have said it: —

"And inasmuch as Feeling, the East's gift,  
Is quick and transient, — comes, and, lo, is gone, —  
While Northern Thought is slow and durable,  
Oh, what a mission was reserved for me,  
Who, born with a perception of the power  
And use of the North's thought for us of the East,  
Should have stayed there and turned it to account,  
Giving Thought's character and permanence  
To the too transitory Feelings there, —  
Writing God's messages in mortal words!"

Now Mr. Browning is able to throw into dramatic conditions a Moor with precisely such a mission, but such a Moor would

never say a word about it. Mr. Browning has a rare and delicate appreciation of mental varieties, and this lends great power to his descriptive pen; but this knowledge may subserve the delineation of character only when it does not remind us of its function.

At first, it would seem that Luria could not do any thing more natural than to take poison. Yet this is our greatest objection to the character. In some Moors it would be timely and appropriate, but in Luria it is an imitation: and, moreover, it vitiates, in our estimation, the impression which Mr. Browning endeavored to create, by showing us just such a Moor in just such circumstances. It is a common thing to consult the requisitions of the stage, and kill off the heroes, that the curtain may descend over a clean piece of work, and the spectators be left to pity, but at their convenience to forget. The hero is often by nature a candidate for suicide, in which case we cannot quarrel with his consistency; but whenever we get hold of a man capable of greater things, we demand that he shall not be sacrificed to stage effect. Mr. Browning has made Luria too great for his own catastrophe. His suicide, then, is a lamentable deference to the traditional requisitions of the fifth act, which mars the nobility in all the other four. Luria commits suicide. It is a *bêtise* worthy of "the nephew of my uncle," when his forthcoming *coup d'état* shall fail. Inheriting this cross of the Gallic cook, Luria should have left a note upon his dressing-table, saying much, among other things, of "unappreciated merit," "unjust suspicions, that make life loathsome," "tired of being misunderstood," with a request to seek out his aged mother, somewhere in the Orient, and make over his effects to her. For, seriously, a man upon whose lips so many noble sayings are at home, whose life is a sacrifice to Duty, that fills the soul and masters every sense, like the sight of some great pageant, who towers above the coldness and selfishness of those mean-natured Florentines, like the eternal pyramids of his own favorite imagery, should have supported his character to the end of the drama, as only such a soul could have done, undroopingly. Was he, after all, such a vulgar hero? — so small a man, to drown in a phial of Eastern tincture, where the play leaves him; in his life so Christian, in his death a cockney crossed in love? He should have borne his last great disappointment, as he had borne his previous successes, simply trusting in his sense of right, — thus gaining one more victory, harder than any over Pisan or

Lucchese, over mortified pride and sharp ingratitude. Then he would have been, from first to last, the glorious Moor, the symbol of a Duty that is quite Christian, united with an endurance of life such as only a pagan so Christian can maintain. A cockney Moor might have killed himself, and welcome; but not this son of the morning, who despises revenge, the "brute-like punishment of bad by worse." When a Moor speaks thus, we have a right to ask him, Is suicide nobler than revenge? If a refusal to punish ingratitude were followed by a consent to live and bear it, would there not be true pathos in the sight or imagination of the subsequent fortunes of such a spirit? What should Luria have done after uttering such words as these?

"There, my own orb! He sinks from out the sky!  
 Why, there! a whole day has he blessed the land,  
 My land, our Florence,—all about, the hills,  
 The fields and gardens, vineyards, olive-grounds,  
 All have been blest,—and yet we Florentines,  
 With minds intent upon our battle here,  
 Found that he rose too soon, or else too late,—  
 Gave us no vantage, or gave Pisa more,—  
 And so we wronged him! Does he turn in ire  
 To burn the earth, that cannot understand?  
 Or drop out quietly, and leave the sky,  
 His task once ended? Night wipes blame away."

He should have passed serenely from the scene of his unrequited glories, carrying our imaginations captive in the train of his true triumph; graced too, in his return to the East, with all our drooping sorrows and wild surmises. There might we see him sit on the ruins of cities, dashing away the hot tears, and swallowing down the sobs that rise at the bidding of his indignant memories. We should follow him, as he sought, with every fibre of his character more firmly knit by the cruel trial, the early oasis, the only green spot left in the waste of his disappointment, where the dusk forms would crowd around the true hero, bringing him "fresh instinct to translate them into law." Perhaps, too, "in Vishnu-land, what Avatar?" But wherever he led the captive hearts, as he left the ungracious stage of Florence, they would gaze upon a fate more pathetic and ennobling than a hundred deaths. And so should every such tragedy conclude, if the hero's previous life can afford the requisite guarantees to the imagination. But what does the great Luria, in the play? He takes a small phial from his

breast-pocket, shakes it well before taking the contents, as all the strength has settled, mutters to himself,

"Strange! This is all I brought from my own land  
To help me."

Strange, indeed; we had, throughout the play, been under the impression that he had brought his own will with him, his own untainted conscience and mild simplicity, his own noble indifference to every fate less than reproach, to help him. He uncorks, we say, this phial, decants the virulent treacle and water — with what an air the *stars* of every season extinguish themselves! — lives through the whole of the fifth act, doubtless with much nausea and "sinking of the lower abdomen," and dies just as Florence repents, and sends to him, bidding him live for his reward. There is a spurious pathos in such a catastrophe. It is indeed bitter to think that the noble Moor did not live to accept the repentance of the selfish city, and to enjoy the complete vindication of his character. But he did not foresee the result; and the effect of the character is marred precisely at the spot where he seeks in oblivion an unmanly refuge for his wounded feelings. So do all the heroes turn the last scene into comedy; they fall upon their swords, or take physic bought at an apothecary's. When shall we learn that the true pathos of a drama's close resides in the continuation, by the spectator's imagination, of the hero's suffering, of the long regrets, of the slow transformation of the poison into nutriment and life? Luria's character is spoiled, merely that every body may exclaim, when justification comes too late for him, "What a pity!" That may be very sad, but it is not truly tragic. The consistency of the character is ruined, and its total effect seriously damaged, for the sake of an unhappy accident; and because it is not a custom of the fifth act to leave the heroes alive, suffering with the imagination. If the play was really written to develop the great-heartedness of a man whose idea of life is Duty, and whose whole demeanor has shown that he can afford to be misunderstood not without luxuries of feeling far exceeding his deserved reward, either Florence should not have repented, or Luria should have departed unwitting of the tardy justice. Then Florence would have been indeed punished, for Luria's contempt would have remained alive. Any thing, rather than another craven suicide!

There remain to be quoted a few lines, showing the fine art and feeling that have been lavished on this play. Luria delays

the battle, dreading to see his occupation gone, and himself thrown aside : —

“ Peace follows it !

Florence at peace ; and the calm, studious heads  
Come out again, the penetrating eyes ;  
As if a spell broke, all 's resumed ; each art  
You boast, more vivid that it slept awhile !  
'Gainst the glad heaven, o'er the white palace-front  
The interrupted scaffold climbs anew ;  
The walls are peopled by the painter's brush ;  
The statue to its niche ascends to dwell ;  
The present's noise and trouble have retired,  
And left the eternal past to rule once more.  
You speak its speech and read its records plain,  
Greece lives with you, each Roman breathes your friend,  
— But Luria — where will then be Luria's place ? ”

Domizia thinks that he should have been one of them ; he answers : —

“ Oh, no !

Not one of you, and so escape the thrill  
Of coming into you, and changing thus, —  
Feeling a soul grow on me that restricts  
The boundless unrest of the savage heart !  
The sea heaves up, hangs loaded o'er the land,  
Breaks there, and buries its tumultuous strength ;  
Horror, and silence, and a pause awhile ;  
Lo, inland glides the gulf-stream, miles away,  
In rapture of assent, subdued and still,  
'Neath those strange banks, those unimagined skies ! ”

Luria contrasts his untutored instincts with the calm sagacity of Europe ; the lines are fine, though we doubt Luria's right to them, unless he really has the faith which he describes so well : —

“ For on their calm sagacity I lean,

Their sense of right, deliberate choice of good. —  
Such faith stays when mere wild belief would go !  
Yes — when the desert-creature's heart, at fault  
Amid the scattering tempest's pillared sands,  
Betrays its steps into the pathless drift —  
The calm, instructed eye of man holds fast  
By the sole bearing of the visible star,  
Sure that, when slow the whirling wreck subsides,  
The boundaries, lost now, shall be found again, —  
The palm-trees and the pyramid over all.”

Husain says a fine thing for a pugnacious Moor : —

"They called our thirst of war a transient thing;  
The battle element must pass away  
From life, they said, and leave a tranquil world :  
— Master, I took their light, and turned it full  
On that dull, turgid vein, they said would burst  
And pass away ; and, as I looked on life,  
Still, everywhere I tracked this, though it hid  
And shifted, lay so silent, as it thought,  
Changed oft the hue, yet ever was the same ;  
Why, 'twas all fighting, all their nobler life !  
All work was fighting, every harm — defeat,  
And every joy obtained — a victory."

The remaining volume which heads our article is Mr. Browning's latest production. It is divided into two parts, which are headed respectively "Christmas-Eve" and "Easter-Day." Its commencement reminds us of the "Flight of the Duchess," with the same rich vein of humor, and the same preternatural rhymes. But these rhymes, as in the former piece, have such a sensible air of necessity, that it seems difficult to imagine how the story could be told without them. We acquire a respect for riot which is so useful and unaffected. Here we have "Manchester" rhyming with the surprising, but extremely sensible combination of "haunches stir." There is nothing like having a respectable "connection !" "Joseph" couples amicably with "knows if" — "Gallio" leads off a "tally ho !" — "Ikettides" has "indebted ease" — "Frankfort" has "thank for 't ;" "Scriptures" do not quarrel with "equipt yours," nor "statue" with "*that*, you."

"Christmas-Eve" is rainy, but the poet has taken it into his head to attend the service in "Zion Chapel Meeting." We find him shivering in a very moist and uncomfortable porch, rather daunted by the scowls and drippings of the saints, who brush past him, astonished at seeing the scoffer waiting at the gate of their tabernacle : —

— "From the road, the lanes, or the common,  
In came the flock ; the fat weary woman,  
Panting and bewildered, down-clapping  
Her umbrella, with a mighty report,  
Grounded it by me, wry and flapping,  
A wreck of whalebones ; then, with a snort,

Like a startled horse, at the interloper,  
 Who humbly knew himself improper,  
 But could not shrink up small enough,  
 Round to the door, and in, — the gruff  
 Hinge's invariable scold,  
 Making your very blood run cold."

Each arrival is hit off in admirable style, with his usual eye for individualities and latent humor : —

"Then a tall, yellow man, like the penitent thief,  
 With his jaw bound up in a handkerchief,  
 And eyelids screwed together tight,  
 Led himself in by some inner light."

Finally, with the stimulus of a little indignant *excursus* upon exclusiveness, he screws up his courage to the point of entering : —

"Accordingly, as a shoemaker's lad  
 With wizened face in want of soap,  
 And wet apron wound round his waist like a rope,  
 After stopping outside, for his cough was bad,  
 To get the fit over, poor gentle creature,  
 And so avoid disturbing the preacher,  
 Passed in, I sent my elbow spikewise  
 At the shutting door, and entered likewise."

He says that he very soon had enough of it ; there was a dreadful smell ; he sat next a man with a greasy coat. But all other perceptions were crushed by

—— "the pig-of-lead-like pressure  
 Of the preaching-man's immense stupidity."

He had sufficient presence of mind, however, to notice its effect upon the audience : —

"My old fat woman purred with pleasure,  
 And thumb round thumb went twirling faster,  
 While she, to his periods keeping measure,  
 Maternally devoured the pastor.  
 The man with the handkerchief untied it,  
 Showed us a horrible wen inside it,  
 Gave his eyelids yet another screwing,  
 And rocked himself as the woman was doing."

Concluding quite soon that he had "seen the elephant," he pursued the usual course of extempore naturalists, and left the place. Here the humor deserts the poem, save an occasional

glimmer or two, chiefly in a subsequent visit to a Straussian professor at Göttingen. The thought and verse become serious and lofty, while the metre does not change : for Mr. Browning has a very serious object in writing the poem, nothing less than to develop his views of Christian Faith and of Life. We pursue the current, quoting freely without the least remorse, as the book has not yet become frequent here. The same enterprising firm from whom we have received the two handsome volumes above noticed will soon place this also within our reach ; and we hope that readers will liberally endorse the taste of those gentlemen.

There was a lull in the rain as he left the chapel, and, as he walks along, he contrasts the serenity of nature with the mephitic atmosphere around the preacher's tripod. There is an analysis of the general sermonic style of Zion Chapel meetings : following which we have a metaphysical discussion of Love and Power. With proper labor, it will be found to contain thoughts worth pondering, and we gain a definite impression of the true, healthy religion of Mr. Browning's nature. His soul rises to God, earnest for the future time when it shall be satiated with His Love. The wind and rain now cease ; "the black cloud-barricade was riven," and we have a glorious description of a lunar rainbow, with a fainter one as its counterfoil above it.

"For me, I think I said, 'Appear !  
Good were it to be ever here.  
If Thou wilt, let me build to Thee,  
Service-tabernacles Three ;  
Where, forever in Thy presence,  
In ecstatic acquiescence,  
Far alike from thriftless learning  
And ignorance's undiscerning,  
I may worship and remain !'"

Omitting a few lines, the poem continues thus : —

"All at once I looked up with terror.  
He was there.  
He Himself with his human air,  
On the narrow pathway, just before : —  
—— Only the sight  
Of a sweepy garment, vast and white,  
With a hem that I could recognize."



He presses, hastening, "to the salvation of the Vest," and pours out his heart in longing that the Presence may continue with him : —

"When — have mercy, Lord, on us!  
The whole Face turned upon me full,  
And I spread myself beneath it,  
As when the bleacher spreads, to seethe it  
In the cleansing sun, his wool,—  
Steeps in the flood of noontide whiteness  
Some defiled, discolored web,—  
So lay I, saturate with brightness."

He is caught up and borne along "in the whirl and drift of the Vesture's amplitude," across the world. It is Christmas-Eve at Rome; how beautiful every line is now! The Dome — the multitude clustered round every "coigne of vantage" in the great Basilica, waiting to see blaze forth "the main-altar's consummation," — the aspiration of the "taper-fires," — the organ's *personality*, who

"Holds his breath, and grovels latent,  
As if God's hushing finger grazed him,  
(Like Behemoth, when He praised him,)  
At the silver bell's shrill tinkling." —

He prefers the clue of his reason to the possible truth that "shines athwart the lies" of Rome, — but he extols the obedient love of the worshippers, keeping them fast to God, through the night of error : —

"As a babe can find its mother's breast,  
As well in darkness as in light,  
Love shut our eyes, and all seemed right."

With his whole verse, in a fine enthusiasm, he sums up his perception that "too much love there can never be." Out again, borne along in the Vesture's eddy, bound for a visit to a Göttingen professor: so the Christmas lecture of a Straussian is the contrast to the uncritical devotion of the Roman spectacle. A few masterly touches give us the room, the audience, and the professor : —

"He pushed back higher his spectacles,  
Let the eyes stream out like lamps from cells,  
And giving his head of hair — a hake  
Of undressed tow, for color and quantity —  
One rapid and impatient shake,  
(As our own young England adjusts a jaunty tie

When about to impart, on mature digestion,  
 Some thrilling view of the surplice question,) —  
 The professor's grave voice, sweet though hoarse,  
 Broke into his Christmas-Eve's discourse."

He finds in reason the foundation for the "Myth of Christ."

"Whether 'twere best opine Christ was,  
 Or never was at all, or whether  
 He was and was not, both together, —  
 It matters little for the name,  
 So the Idea be left the same."

Upon all these points, we heartily sympathize with Mr. Browning's acute and racy criticism, and consider that he has not misrepresented, while dissecting the mythical theory. We are rather surprised, too, to find him so easy and transparent in this domain. Only a slight difference between us springs up at last, when he seems inclined to exalt the historical Person above the continual and sufficient presence of God. But the glow and conviction of his elevating verse indispose us now for any criticism of particular statements.

He begins to feel very tolerant; talks about the value of religion, and the superfluity of sectarianism; hazards the phrase, "mild indifferentism," and his heart becomes quite genial in this "lazy glow of benevolence." But the Vesture is not suited with this, and leaves him alone on the college-steps, as we think, rather intolerantly, considering that long ago the same Vesture's hem was touched by such as needed healing. But let us follow the rather orthodox poet, who misses his second person of the Trinity, and starts up in terror, exclaiming: —

"Needs must there be one way, our chief,  
 Best way of worship; let me strive  
 To find it, and, when found, contrive  
 My fellows also take their share."

If, with his best endeavor, he fails in this, he believes that God, in his own method, will bring "all wanderers to a single track." On the whole, his reflections are so satisfactory that they bring back the "flying robe" again, and he feels like a man who has answered all the fundamental questions of a "council," and has gracious ministerial permission to be ordained. Of a sudden: —

— "at a passionate bound, I sprang  
 Out of the wandering world of rain,  
 Into the little chapel again."

He rubs his eyes — the saints have edged away from him, looking spiritual daggers. And yet, how could he remember all about the sermon, if he had been asleep? So it was, however; he keeps the orthodoxy of his dream, indulges in a gentle suspiration for the pope's and professor's salvation, and the "Christmas-Eve" concludes thus: —

— "If any blames me,  
Thinking that, merely to touch in brevity,  
The topics I dwell on, were unlawful,—  
Or, worse, that I trench, with undue levity,  
On the bounds of the holy and the awful,  
I praise the heart, and pity the head of him,  
And refer myself to Thee, instead of him,  
Who head and heart alike discernest:  
Looking below light speech we utter,  
When the frothy spume and frequent sputter  
Prove that the soul's depths boil in earnest!  
May the truth shine out, stand ever before us!  
I put up pencil, and join chorus  
To Hepzibah tune, without further apology,  
The last five verses of the third section  
Of the seventeenth hymn in Whitfield's Collection,  
To conclude with the Doxology."

"Easter-Day" commences in the conversational style; the poet and his imaginary foil discuss the difficulty of being a Christian. Some fine things are said upon the subject of faith. For instance, the difficulty of believing is the touchstone of belief: —

"Could He acquit us, or condemn,  
For holding what no hand can loose,  
Rejecting when we can't but choose?  
As well award the victor's wreath  
To whosoever should take breath  
Duly each minute while he lived —  
Grant heaven, because a man contrived  
To see the sunshine every day  
He walked forth on the public way.  
You must mix some uncertainty  
With faith, if you would have faith *be*."

For a while this is the spirit of the conversation; one wishing to "grow smoothly, as a tree," the other declaring that so the world lives now. Some respectable pursuits are shown up

with light touches of irony — then men find what evidences of belief they desire : —

— “as is your sort of mind,  
So is your sort of search.” —

A very true thing, said in jest. But the poet assumes the Divine incarnation in the person of a single history, and then reminds us of “certain words, broad, plain,” which cannot be explained away : —

“Announcing this world’s gain for loss,  
And bidding us reject the same.”

The pursuits of the world are finely contrasted with the spirit of denial : —

— “we, the better part  
Have chosen, though ’twere only hope,—  
Nor envy moles like you, that grope  
Amid your veritable muck,  
More than the grasshoppers would truck,  
For yours, their passionate life away,  
That spends itself in leaps all day  
To reach the sun. You want the eyes  
To see, as they the wings to rise  
And match the noble hearts of them.”

And so he proves how hard it is to be a Christian, forced always to ward off the stroke of doubt, “caught upon the guard” of the better hope. The other speaker awards him small thanks for this ; he already lives in trusting ease, indulging only the “*blind hopes* to spice the meal of life with.” Whereupon, in refutation of worldliness, we have the relation of another vision. It is a vision of judgment. This is a noble effort of imagination, pledged to the service of religious thought, — the verse soars into sublime description, and the pages redden with the fierce hues of this tremendous vision. The material prodigy of this Easter judgment passes away, and the scene fills with the presence of God, dealing with the human soul. The poet fixes his affections upon the world, and thought, and beauty, and love ; in each case, the Spirit declares to him the emptiness of his choice. Love existed in all the other things which he had enumerated ; even his choice of love is somewhat late : —

“Now take love ! — Well betide  
Thy tardy conscience ! Haste to take  
The show of love for the name’s sake.”

The humbled poet at last resigns every clinging thought of the world, hoping to find his peace and the favor of the Spirit in entire renunciation: —

“ Be all the earth a wilderness!  
Only let me go on, go on,  
Still hoping ever and anon  
To reach, one eve, the better land!  
Then did the Form expand, expand—  
I knew Him through the dread disguise,  
As the whole God within his eyes  
Embraced me.”

Easter-Day breaks — “ no paradise stands barred to entry ” — spite of dreary moments hope is elastic, and the poet knows that “ mercy every way is infinite.”

So cordial is our agreement with the pure spirit of all this, that we cannot spend a word upon occasional disagreements in theology. Filled with this spirit of religious love, the reader can return to the power and beauty of this world, portrayed with such loving sympathy in all the verse of Mr. Browning, and permit them amid enjoyment to kindle worship of the unseen world, the kingdom of munificent correspondences to these partial shows of time. Thanks to Mr. Browning, we learn from his poem to mingle content with aspiration. We will keep every charm of earth, every beautiful line that he has added to the treasury of poets, every minute marvel with which God tempts us to think of the plenitude of heaven. “ All partial beauty ” is a pledge of that. The pledge shall not suffice our mood, yet we cannot refuse to love it now with a tranquil hope. Nothing of late has so lifted the veil behind our customary routine and feeling, letting in upon them ripples of glory from the sphere of perfect beauty, as the latter half of “ Easter-Eve,” with its presageful lines, its credible anticipations, its cosmic thought. We forbear to mar the sustained and solemn grace of the poem by quotations of that which every man must buy and read. It has the full, vital force of all the other strokes from the same pen. There is no easy sentiment for summer afternoons, and reading it is not an amusement; for that, as the word purports, carries us oftener *away from the muses* than keeps us in their instructive company. Mr. Browning makes our senses all alert; we cannot listen to him in a reverie, but with self-possessed faculties. Sometimes even his best images require a salutary effort to clutch them; occasional conceits excepted, they are not far-fetched, confused and

dim, but palpable, the handle towards the hand, marshalling the fancy the way it ought to go. This is true of all his works. We think we can perceive in "Christmas-Eve and Easter-Day" that Mr. Browning has also gained clearness, without sacrificing a single quality of his genius. Indeed, its power is materially increased, for his pen serves the thought with a greater regard for human sympathy. Such lofty beauty which the many need, is more conformed to the style of the many, without ever stooping to win by a dilution of its subtle energies. Is it too much to say that, with this pen for his sceptre, Mr. Browning can exact the homage of all hearts? He will permit us to apply to his conceptions of truth and beauty, what he says of the "chief, best way of worship": —

—— "let me strive  
To find it, and, when found, contrive  
My fellows also take their share."

We deem that he possesses all the gifts and the exuberant life needed by the great artist, and he makes us conscious of a religiousness that can command their services for the good of men. Give the world a direction towards the good. Schiller says to the artist: "You have given it this direction, if as a teacher you elevate its thoughts to the necessary and eternal; if, while acting or composing, you transform the necessary and eternal into an object of its impulse. Create the conquering truth in the modest stillness of your soul, array it in a form of beauty, that not only thought may pay it homage, but sense lovingly comprehend its presence."

Last words of admiration and gratitude linger on our pen. We bespeak for every future line of Mr. Browning a cordial welcome here. And it is pleasant to think that he cannot regard the warm, personal friendships he has unconsciously established here, with indifference. We assure him that he can take his piece entitled "Time's Revenges," and for "a friend" in the first line read "friends," adapting the passage to express our ever-increasing regard for the books he writes.

"Contrive, contrive  
To rouse us, Waring! Who's alive?  
Our men scarce seem in earnest now;  
Distinguished names! — but 'tis somehow  
As if they played at being names  
Still more distinguished, like the games  
Of children. Turn our sport to earnest."

ART. V. — *The History of the United States of America, from the Discovery of the Continent to the Organization of Government under the Federal Constitution.* By RICHARD HILDRETH. In three volumes. New York: Harper & Brothers. 1849.

At the present day, the United States present one of the most interesting and important political phenomena ever offered in the history of mankind. England has planted her colonies in New Holland, in New Zealand, in the East and the West Indies, at Cape Good Hope, and at Labrador; at Mauritius, Gibraltar, and in the Islands of the Pacific. She has forced an entrance into China; she longs to get firm footing in Borneo and Nicaragua. Wheresoever her children wander, they carry the seed out of which British institutions are sure to grow; institutions, however, which never produce their like, but nobler and better on another soil. Omitting all mention of Ireland, abundantly treated in a previous article, America was the oldest of these colonies; the first to detach itself from the parent stem, and is, perhaps, the prophecy of what most of the others are destined to become.

It must be a vigorous tribe of men which can hold so vast a portion of the Earth, while themselves are so few in numbers. Three hundred years ago, in the reign of Edward the Sixth, England was a third-rate power in Europe. Her population was less than three millions, her exports were trifling, and consisted of the raw materials of her clumsy agriculture, and her mineral treasures, which the Tyrians had traversed the ocean to purchase two thousand years before. Her soil could hardly raise a salad. Scotland was independent; Ireland not wholly subject to English rule; Wales had but lately been added to her realm. She was remarkable chiefly for the stormy seas which girt the Isle, and the chalky cliffs along her shore; for the fogs that cover it; for the rudeness of her inhabitants, and the tough valor of her soldiers. Now, in three hundred years, England contains some seventeen millions of inhabitants; Scotland and Ireland, ten millions more. Russia, Austria, and France, are the only nations in Europe that outnumber her in population. Turkey, with nine millions, and Spain, with twelve, are powerless beside her. Her ships are in all the oceans of the world; the sun never sets on her flag; her subjects capture the whale at Baffin's

Bay, and the elephant in India; they sport at hunting lions in South Africa. Her navigators, with scientific hardihood, explore each corner of the northern sea, or, locked in ice, wait the slow hand of death, or the slower sun of an arctic summer. She has climes too cold for the reindeer; climes too hot almost for the sugar-cane and the pine-apple; the lean larch of Scotland, and the banyan-tree of Hindostan, both grow in the same empire. Esquimaux, Gaboon, and Sanscrit, are tongues subject to Britain. At least an eighth part of the men now living in the world owe allegiance to the queen of that little island.

Her children came to America when the nation was in all the vigor of its most rapid growth. The progress of their descendants in population and in wealth has been without parallel. Two hundred and fifty years ago, there was not an English settler in the United States; now the population is not far from two and twenty millions; two-thirds of the people are of English origin. The increase of property has been more rapid than that of numbers. In fifty years, Boston has multiplied her inhabitants nearly five fold, and her property more than twenty-five fold in the same time. The increase of intelligence is very remarkable, and probably surpasses that of property.

The Americans are now trying a political experiment which has hitherto been looked on with great suspicion and even horror. Here is a Democracy on a large scale; a church without a bishop; a state without a king; society (in the Free States) without the theoretical distinction of patrician and plebeian. What is more surprising, the experiment succeeds better than its most sanguine friends ever dared to hope. The evils which were apprehended have not yet befallen us. The "Red Republic," which hostile prophets foretold, has not come to pass; there are "red" monarchies, enough of them, the other side of the world, born red; doomed, we fear, to die in that sad livery of woe; but in America, the person of the citizen is still respected quite as much as in Austria and England; and nowhere in the world is property safer or so much honored; the lovers of liberty here are lovers of order as its condition. Even Mr. Carlyle, accustomed to speak of America with bitterness and contempt, and of the ballot-box with loathing and nausea, confesses to the success of the experiment so far as wealth and numbers are concerned. Indeed, it is a matter of rejoicing to warm-hearted men, that we have cotton to cover and corn to feed the thousands of



exiles who yearly are driven by hunger from England, to seek a home or a grave on the soil of America. It is interesting to study the growth of the American people; to observe the progress of the idea on which the government rests, and the attempts to make the idea an institution.

This is one of the few great nations which can trace its history back to certain beginnings; there is no fabulous period in our annals; no mythical centuries, when

*Οἱ πρῶτα μὲν βλέποντες ἤβλεπον μάτην,  
Κλίσοντες οὐκ ἔκονον· ἢλλ' ὀνειράτων  
Ἀλλήλοισι μορφαῖσι, τὸν μακρὸν χρόνον  
Ἔφυγον αἰκὴ πάντα, ποδὶς πλανθουφίᾳς  
Δόμους προσείλους ἦσαν, σὺ ξυλουγγίαν·  
Κατάρχευς δ' Ἰναιον, ὥσπερ ἀήσυροι  
Μόρμυρες, ἀντρῶν ἐν μυχοῖς ἀρηλίοις.*

To be rightly appreciated, American history requires to be written by a democrat. A theocrat would condemn our institutions for lacking an established church with its privileged priesthood; an aristocrat, for the absence of conventional nobility. Military men might sneer at the smallness of the army and navy; and æsthetic men deplore the want of a splendid court, the lack of operatic and other spectacles in the large towns. The democrat looks for the substantial welfare of the people, and studies America with reference to that point. At present, America is not remarkable for her literature or her art; she has made respectable advances in science, but her industrial works and her political institutions are by far her most remarkable achievements hitherto. We are not sanguine enough to suppose that all the advantages of all the other forms of government are to be secured in this, but yet trust that the most valuable things will be preserved here. In due time, we doubt not the higher results of civilisation will appear, and we shall estimate the greatness of the nation not merely by its numbers, its cotton, its cattle, and its corn. But "that is not first which is spiritual." First of all, the imperious wants of the body must be attended to, — the woods are to be felled, the log-cabins built, the corn got into the ground, the wild beasts destroyed, the savages kept at peace. There must be many generations between the woodsman who erects the first shanty of logs, and the poet who sheds immortal beauty on logs and lumberers. Were there not ages between the wooden hut of Arcadian Pelasgos in Greece, and the Parthenon? From mythical Cecrops to Aristophanes, the steps are many,

each a generation. The genius of Liberty only asks two things — time and space. Space enough she has, all America is before her ; time she takes possession of fast enough, only a second at once ; and, in the course of ages, we think she will make her mark on the world. Up to this time, the achievements of America are, taken as a whole, such as we need not much blush at. Some things there were and are to be ashamed of — not of the whole. That dreadful blot of slavery remains yet, an Ireland in America ; among the whites, on the one hand, causing the most shameful poltroonery which modern times can redden at, and, on the other, calling forth heroism, that seems almost enough to redeem the wickedness which has brought it to light. But, turning to that half of the nation free from direct personal contact with this sin of the state, forgetting for a moment the foolishness of “ political sages,” the cowardice of those leaders who never dare enact justice as a statute, but take the responsibility of making iniquity a law, and omitting the defalcation of men who forsake their habitual worship of a calf of gold, to bow down before a face of dough,—there is certainly a gratifying spectacle. Here are some fifteen millions of free men, trying the voluntary system in church and state, richer than any other people of the same numbers in the world, and with the aggregate wealth of the nation more equally distributed ; a nation well fed, well clothed, well housed, industrious, temperate, well governed, and respecting one another and themselves ; that certainly is something. In all that territory there are probably more muskets in the hands of private men than there are habitations, yet not one is kept for actual defence ; and, through the Free States, no soldier walks abroad with loaded gun ; only in the large towns is there a visible police. There are not two thousand soldiers of the state in all that territory, and they are as inoffensive to the citizens as the scarecrows in the field, only not so useful, nor so well paying for their keep. Of this population, some three millions are in the public schools, academies, and colleges. Nowhere are churches so numerous, or so well attended ; nowhere such indications of happiness, comfort, intelligence, morality among the mass of men. This, we repeat, is something. We have no very great men ; we have never had such. An Alexander, a Cæsar, a Charlemagne, a Napoleon, we have not had. Perhaps we never shall ; but it is hardly worth while to go into mourning yet for the absence of such. Great artists, poets, philosophers, men of letters, we have not had, hitherto.

We have shown no great respect for such, to our shame be it spoken; but in due time we may trust that they also will come and shine for ages, with the halo of genius around their brow. However, it does seem a little remarkable that, in America, every thing seems to be done democratically—by the combined force of many men with moderate abilities, and not by one man of Herculean powers. It was so in the early periods of the nation; so in the Revolution, and so now. It has always been so with the Teutonic tribes of men, much more than with the nations from the Shemitic stock. With them there comes a Moses, or a Mohammed, who overrides a nation for one or two thousand years, and its progress seems to be by a series of leaps; while the western nations, with less nationalism, and more individualism, accomplish less in that way, but slope upwards by a more gradual ascent. In the English Revolution, there was no one great man who condensed the age into himself, and created the institutions of coming generations, as Moses and Mohammed have done: spite of the great abilities and great services of Cromwell, no just historian will claim that for him. It was so in the American Revolution; so in the French. Washington led our armies, and Napoleon the legions of France, but neither gave the actors the idea which was slowly or suddenly to be realized in institutions.

It is an interesting work to trace the growth of the American people from their humble beginnings to their present condition; to discover and point out the causes which have helped that growth, and the causes which have hindered it. To a philosophical historian this is no unpromising field; the facts are well known; it is easy to ascertain the ideas out of which the general political institutions of America have grown; it is not difficult to see the historical causes which have modified these institutions, giving them their present character and form. None but a democrat can thoroughly appreciate that history. As the history of Christianity must be written by a Christian who can write from within, and the history of art by a man with an artistic soul, so must the history of America be written by a democrat—we mean one who puts man before the accidents of man, valuing his permanent nature more than the transient results of his history.

American history, up to the adoption of the Federal Constitution, forms a whole, and has a certain unity which is not obvious at first sight. The several colonies were getting established, learning to stand alone; they were quite unlike in their

origin, form of government, ecclesiastical and other institutions. Very different ideas prevailed in Georgia and New Hampshire. Looked at carelessly, they seem only divergent, but, when studied carefully, it seems as if there was a regular plan, and as if the whole was calculated to bring about the present result. No doubt, there was such a concatenation of part with part, only the plan lay in God, not in the mind of Oglethorpe and Captain Smith, of Carver and Roger Williams.

Considering this history as an organic whole, to treat it philosophically, it seems to us it is necessary to describe the material theatre on which this historic drama is to be acted out; to describe the American continent, telling of its extent and peculiarities in general, its soil, climate, and natural productions, and its condition at the time when the white men first landed on its shores; this, of course, comprises a description of the inhabitants at that time in possession of its soil.

Then, the historian is to tell us of the men who came here to found this empire; of their origin, their character, and their history in general. He is to tell the external causes which brought them here, or the motives which impelled them; and the ideas which they brought, as well as those which sprung up under their new circumstances. Next, he is to show speculatively by the idea, and practically by the facts, how these ideas worked under the new conditions of the people; how they acted on circumstances and circumstances on them, and what institutions came thereof. The historian very poorly performs his duty who merely relates the succession of rulers, the increase or diminution of wealth and numbers, the coming on of wars, and the termination thereof, the rise of great men, with their decline and fall, and the presence of institutions, without telling of the ideas they represented. Showing the continual growth of the ideas which create the institutions, is little more than the work of an annalist or chronicler.

If a great idea appears in human affairs, founding new institutions and overturning the old, it is part of the work of a philosophical historian to give us the story of this idea; to refer it back to its origin in the permanent nature of man, or the accidents of his development; to show the various attempts to make the thought a thing, and the idea a fact. Such is the case in American history: political institutions were set a going here radically unlike any others in the world. True, we may find points of agreement between the American and various European governments. The trial by jury dates far

back beyond the "gray goose" code, and has its origin in remote antiquity; the *habeas corpus* is, doubtless, of English origin, and its history may be read in Hallam, and elsewhere; the notion of delegates to represent corporations, or republics, may have originated with the early Christians, who sent their ministers and other servants (or masters) to some provincial synod; the idea of individual liberty, the sacredness of the person before the state may be traced to the wilds of Germany, long before the time of Christ. We know how much of American freedom may be found in Sir John Fortescue's *Laudation of the laws of England*, or in the books of Moses, if we will; but, yet, the American government, in nation, state, and town, is an original thing. The parts are old, many of them, but the whole is the most original thing that can be found in the political history of the world, for many an age. Almost every special and true moral precept of the New Testament may be found in some heathen or Hebrew writer before Jesus, but, yet, spite of that, Christianity was an original form of Religion, as much so as the statue of a goddess, which a Grecian sculptor gathered by a grand exlecticism from five hundred Spartan maids, corrected by the ideal in his own creative and critical mind.

You trace the secret cause of the American institutions far off in the history of mankind. Here, it is a dim sentiment in the breast of the German in the Hercynian forest; then again it burns in the bosom of the Christian, and he tells the world that God is no respecter of persons, that Jew and Gentile are alike to Him. But it leads, at first, to no political consequences; even its ecclesiastical results are trifling, and its social consequences at first of small moment. It could not make St. Paul hostile to personal Roman slavery. In the Middle Ages, you trace the path of this idea. Sometimes it goes over the mountain side, and is seen amid the works of great men, but commonly it winds along in the low valleys of human life; a little path, known only to the people, and worn by their feet, not knowing whither it leads them; a by-path for the vassal, not the highway which the baron and prelate took care to have in order. The record of its existence is found in the song of the peasant or in the popular proverb; in some fabulous legend of unhistorical times,—times that never were,—or in the predictions of days to come. This idea has not a place in the pulpit of the minster; but in the silent cell of the devout

mystic it has its dwelling-place, and gladdens his enraptured heart as a vision of the kingdom of heaven.

Now it waxes mighty, and contends against the oppression of tyrannical men, less in the state than in the church. Fast as it becomes an idea, men organize it as well as they can, now in little convents or monasteries, then in trading companies; then in guilds of mechanics; in cities and small states, as in Italy and the Low Countries, in Switzerland, and the Hanse towns. At length this impulse—it was hardly an idea—puts all Europe into commotion. Men call for spiritual freedom. Under the guidance of that great spirit who stands as the water-shed between the Middle Ages and modern times, feeling the contradictions of a divided age, under Martin Luther, men break the yoke of ecclesiastical tyranny they have borne so long. Liberty of conscience was all mankind called for, but for that time they must put up with liberty of conscience limited on the divine side by the Bible, on the human side by the king. Strait and oppressive limits both proved to be,—bonds that approached nearer and threatened to crush the struggling soul. Still men were not satisfied; they wanted political liberty as well as spiritual, and of spiritual much more than they got. How rapidly the idea of a free state got abroad over Europe. Bodinus, in his *Republic*; Thomas More, in his *Utopia*; Bacon, in his new *Atlantis*,—very undemocratic men at the best,—are witnesses to the power of this demand. The sentiment had long been in men's hearts,—it was now rapidly becoming an idea. Kings and priests told men the less liberty they had the better; if they tried to go alone, they would certainly fall. Was it not better to sit on the hearth of the king, their head under the apron of the church, than thus try to walk in the open air? There was good and bad scripture for such a course,—and of precedents the world was full. But men would not be satisfied; the king's hearth was warm, and the motherly apron of the church made the head easy and comfortable, but there was a divine soul in man which would break out into all sorts of peasant wars, of Jack Cade's rebellions, of Runymedes, and the like. At length, the idea gets so fully set forth, as an idea, and so widely spread abroad by fanatics, and amongst sober men, that the chief question is, Where shall the idea first become a fact? Shall it be in Germany, where the ecclesiastical Reformation began and succeeded most? No, the feudal system had taken deep root in the Teutonic soil, and could not be pulled up for some ages to

come ; the Reformation had affected thought in all departments, in Germany, but politics suffered little change, and by that little it does not appear that the people were directly gainers, to any considerable degree. Could it be in France ? There was a body of enlightened men taking the lead in European science and literature, but there was no intelligence in the people. They seemed subjects of authority, not subjects of Reason, and, though they now and then gave indication of the sentiment for freedom, which has since become so mighty in that nation, yet then no idea of it swept through the land, stirring the tree-tops, and agitating the grass and the very dust. In France, there was a gorgeous court ; a wealthy king ; nobles, rich, famous, and of long-renowned descent ; there were soldiers with genius and skill ; merchants and artists, and clergymen, from Abbé Jean to Cardinal Richelieu, but there was no people to appreciate or desire freedom. In Spain, no one would think of free institutions ; the mind of the nation, chained by the state and palsied by the church, had only life enough left for the mere external things, for gold and sugar ; even her European possessions she could not hold against the vigor of Protestant Dutchmen. Italy had given lessons in commerce, arts, literature, religion, and politics to all the rest of Europe. In the Dark Ages, she had kept the holy fire of science and of literature, covered in the ashes of her old renown, and when occasion offered raked the embers, with her garment fanning them to a flame, and sent little sparkles thereof to Scotland, Ireland, England, and to all the north. While despotism laid his iron rod on all the north of Europe, and the centre too, little commonwealths sprung up at practical Venice, at prudent Pisa, and at haughty Florence, as a poet calls them ; green gardens were they in a snowy world, filled with many a precious plant. But these, too, had declined. Art, literature, science, "*la bella scienza*," the sweet art of poesy, had flourished there, but the nature of liberty craved another soil. The Reformation, which winnowed the nations with a rough wind, did not separate the wheat from the chaff in Italy. The priests were too powerful ; the people too indolent ; the chaff is so thick, and dry withal, that the poor wheat can germinate but slowly.

"Ay ! down to the dust with them, slaves as they are," might well be said of Italy in the end of the sixteenth century. Other vineyards she had helped to plant, but her own she had

not kept. The last service she did mankind was, perhaps, the greatest : she showed them a new and savage world beyond the fabled island of Atlantis in the West. Columbus and Amerigo, Verrazani and the Cabots were pioneers of freedom for mankind. When Columbus turned his bark's head to the West, he little knew that he was leading the nations to universal democracy ; but so it seems now.

The new idea must come across the water to make its fortune. To escape the persecution of the dragon with seven heads and ten horns, the man-child must flee with his mother into the wilderness and there sojourn, said our fathers, giving a "private interpretation" to a dark "prophecy;" at any rate, the American "earth helped the woman." Here, three thousand miles from their native land, out of the reach of old aristocratic institutions, the new nation could unfold its sentiment to an idea, could develop the idea into institutions ; and, trying the experiment on a small scale at first, prepare to found a great empire on the American idea that all men are created equal, and endowed by their Creator with certain unalienable rights, and that it is the business of a government to preserve for each man the perfect enjoyment of all these natural rights, on the sole condition that he does the corresponding duties.

There are two great periods of human history. In the one, men seek to establish unity of action, and form the individuals into tribes and states. This is commonly done to the loss of personal freedom : the state subdues the citizen, and he becomes the subject merely. In religion, the ante-christian forms represent this phase of men's affairs, and, in politics, it is indicated by aristocracies, monarchies, and despotisms. Then comes the second great period of history, in which men seek for personal freedom. In religion, this is represented by Christianity, not the Christianity of the Catholics or the Protestants, but the absolute religion of human nature ; in politics, by a democracy, the government of all, for all, and by all. The settlers of America, in coming here, mainly escaped from the institutions of the former period of history ; the institutions which once helped mankind, but at length hindered them. They brought with them the sentiments and ideas of the same period, imperfectly formed, and such helps and institutions as had previously come out of their sentiments and ideas. They came from a nation more vigorous in the arts of peace than any which the world had seen before. They came from that nation in the time of its greatest spiritual vigor. They brought with



them the best treasures of the private spiritual earnings of the English nation — the common law, the *habeus corpus*, trial by jury, the form of representative government, the rich, noble literature of England, of its Elizabethan age. From the general spiritual treasures of the world, they brought Christianity, and the experience of mankind for five or six thousand years. Virgin America, hidden away behind the Atlantic and Pacific oceans, is now to be married to mankind.

The first settlers came with different motives and expectations, driven by different forms of necessity. There came two types of men quite unlike in most important particulars — the settlers of the North and the South, the Puritans of New England, the secular and more worldly planter of Virginia and the Carolinas. They came from different motives, for a different purpose; they founded different institutions, which produce the contradictory results we now see. The difference between South Carolina and Massachusetts in 1850, dates plainly back to the different origin of the two colonies. New England was settled for the sake of an idea; Virginia and the Carolinas by men who reasonably thought to better their condition and make their fortune. M. Chevalier long ago pointed out the distinction between these two types, the Puritan and the Cavalier; only he finds a distinction in birth, wealth, and breeding, in favor of the Cavalier, which he would not have found had he known American history somewhat better. However, the difference between the secular and the religious colonies still continues in the descendants of the two. But these types unite, or will unite, as he says, to form a future national type, namely, the western man.

Let us look at the volumes of Mr. Hildreth. His work is divided into forty-eight chapters, and, beginning with the first voyage of Columbus, ends with the election of the first President after the adoption of the Federal Constitution. When so great a theme is to be treated in the small compass of three volumes, the author must needs be brief; accordingly, he despatches, quite summarily, the preliminary matter, relating to the discoveries of the continent by the Italian navigators, and briefly sketches a picture of the country and its inhabitants at the period when European colonization first began. The account of the Indians is short, occupying but about twenty pages, yet distinct and clear; for one so brief it is the best account we remember to have seen. The whole Indian population within

the limits of the United States and west of the Rocky Mountains, he thinks never exceeded, if it ever reached, three hundred thousand; others make the number not far from one hundred and eighty thousand. The Indians have not yet received the attention which they demand from the historian and the philosopher; they are as remarkable monuments in the development of the human race as the fossils are in the history of the physical changes of this earth. But they are passing away; their institutions, manners, traditions, and language will soon be forgotten, and by and by it will be impossible to reconstruct the history of which they furnish so valuable a chapter.

Mr. Hildreth speaks of the French settlements in America, and then comes to the history of the English colonization here. For a long time there is an apparent want of unity in the subject, which no historical treatment can wholly disguise. The reader is hurried from Virginia to New England, then to New York, to Maryland, to the Carolinas, to Pennsylvania, to Delaware, and to Georgia. However, for a long time, Virginia and New England are the objects of chief interest. We shall dwell chiefly on the latter, and call the attention of our readers to some things of considerable importance in the story of America. The character of the Puritans has been the theme of unqualified praise and unqualified condemnation; the Puritan of Hume, of Macaulay, and of Bancroft are quite different characters. Perhaps no one of these three great masters of the art of history has given us a fair and just likeness of the men. Mr. Hildreth is not ambitious in his attempt to defend the fathers of New England; he rather leaves their actions to speak for themselves. He thus speaks of them, however:—

“As the other traditions of the Church fell more and more into contempt, the entire reverence of the people was concentrated upon the Bible, recently made accessible in an English version, and read with eagerness, not as a mere form of words, to be solemnly and ceremoniously gone through with, but as an inspired revelation, an indisputable authority in science, politics, morals, life. It began, indeed, to be judged necessary, by the more ardent and sincere, that all existing institutions in church and state, all social relations, and the habits of every-day life should be reconstructed, and made to conform to this divine model. Those who entertained these sentiments increased to a considerable party, composed chiefly, indeed, of the humbler classes, yeomen, traders, and mechanics, but including, also, clergymen, merchants, landed

proprietors, and even some of the nobility. They were derided by those not inclined to go with them as *Puritans*; but the austerity of their lives and doctrines, and their confident claim to internal assurance of a second birth and special election as the children of God, made a powerful impression on the multitude, while the high schemes they entertained for the reconstruction of society brought them into sympathy with all that was great and heroic in the nation.

"The Puritans denounced the Church ceremonies, and presently the hierarchy; but they long entertained profound reverence for the Church itself, and a superstitious terror of schism. Some of the bolder and more ardent, whose obscurity gave them courage, took at length the decisive step of renouncing the English communion, and setting up a church of their own, upon what they conceived to be the Bible model. That, however, was going farther than the great body of the Puritans wished or dared to follow, and these separatists remained for many years obscure and inconsiderable."—Vol. I. pp. 153–154.

There are certain peculiarities in the institutions they at first founded, which Mr. Hildreth very properly dwells upon and exposes. We refer to the theocratical governments which they founded. No historian of America has so fully done them justice in this respect. He fears no man; he is not misled by any reverence for the Puritans; he shows no antipathy to them; extenuates nothing, adds nothing, and sets down naught in malice. We shall dwell a little on the theocratical tyranny which they sought to exercise. In 1629, John and Samuel Browne, at Salem, insisted on using the liturgy of the English Church, and set up a separate worship of their own, for that purpose. They were arrested as "incorrigible," "factionous and evil conditioned," and shipped home to England.

In 1631, the government of Massachusetts decided that no man shall be admitted a freeman, that is, a voter, a citizen in full, unless he were a member of a church in the colony. The candidate for church membership must state his "religious experience" before the church, convince them of his "assurance" and "justification," before he shall be admitted as a member. Thus the road to the ballot-box led through the church, and lay directly in the range of the pulpit. Hence it was no easy matter to become a freeman. Mr. Hildreth says not a fourth part of the adult population were church members. Baptism was the special privilege of church members and their "infant seed."

The clergy were aristocratic, in the evil sense of that word. They would not let the inhabitants of Newtown [Cambridge]

remove to Connecticut in 1684, for "the removal of a candlestick is a great judgment, which ought to be avoided." Fines were imposed for absence from public worship; they aided the "Patricians" to carry "the point against the Plebeians."

Stephen Goldsmith was fined forty pounds, forced to make acknowledgment in all the churches, (1686,) and give bonds for a hundred pounds, because he said all the ministers in the colony, except Allen Wheelwright, and, "as he thought, Mr. Hooker," "did teach a covenant of works." Men were forbidden to erect a dwelling more than half a mile from the meeting-house, says Mr. Hildreth. The Puritan authorities became as arbitrary and unjust as the court of "High Commission," in England; and persecuted men, and women not less, for differing from the opinion of the theocratic officers. Stoughton was persecuted for political opinions, Williams for religious, and Mrs. Hutchinson for philosophical notions on questions of the most subtle character. Baptists and Quakers were imprisoned, whipped, banished, or put to death.

No man was allowed to settle in the colony without a permit from the magistrate; a new comer must not have a house, and no man was suffered to entertain him more than three weeks, without permission. Before Massachusetts had been settled ten years, the synod at Newton condemned eighty-two prevalent opinions as "false and heretical!" Wheelwright and Mrs. Hutchinson were banished for unpopular opinions; freedom of worship was forbidden even to the like-minded, and "the lords brethren" became as tyrannical as "the lords bishops." An attempt was made, in 1639, to establish a church at Weymouth, on the principle of admitting all baptized persons without requiring a profession of faith or relation of experience. It was promptly suppressed; the minister concerned in the business was forced to make an apology; some of the laymen were fined from two to twenty pounds, one whipped "eleven stripes," and one disfranchised. Two persons once called the churches of Massachusetts "anti-christian," and were heavily fined and imprisoned for the offence. Governor Easton, of Rhode Island, it is alleged, once said, "the elect have the Holy Ghost and also the Devil indwelling." He had provocation for his conclusion. The judicial treatment of Mrs. Hutchinson was infamous, and the conduct of the leading clergy was worthy of the darkest ages of popish bigotry. The misfortunes of that noble woman were attributed to "the hand of God." The treatment of Samuel Gorton and his coadjutors is nearly

as disreputable. Did Dr. Child and others petition for a change of laws, so that inhabitants, not church members, might have the rights of English subjects, it gave "great offence to many godly priests, elders, and others;" the petition was "adjudged a contempt," the petitioners were fined from ten to fifty pounds apiece. When the Doctor was about to embark for England, his trunk was searched for dangerous papers it might contain. Copies of two memorials were found in the study of Mr. Dand, addressed to the Commissioners of Plantations, one of them signed by some "fishermen of Marblehead, profane persons," and by "young men who came over servants, and never had any show of religion in them," and by "men of no reason." "A young fellow, a carpenter," by the name of Joy, had been busy in obtaining signatures to the petition, and was kept in irons till "he humbled himself" and "blessed God for these irons upon his legs, hoping they would do him good while he lived." The offence of the men in whose hands the petitions were found was deemed "in nature capital," treason against the Commonwealth. Dand was kept in prison more than a year, and Child, with others, was heavily fined.

The magistrates of Massachusetts were long averse to having fixed laws — preferring an arbitrary government by men, to the sober and dispassionate government of impartial statutes. The code made in 1649 contained some remarkable provisions: "Stubborn and rebellious sons," and children over sixteen "who curse or smite their natural father or mother," were punished with death. Courtship must not be undertaken without the permission of the parents or guardians of the maid; or, in their absence, that of the "nearest magistrate," under penalty of fine and imprisonment. Blasphemy was a capital crime. Men were to be banished "for preaching and maintaining any damnable heresies, as denying the immortality of the soul, or resurrection of the body," or "that Christ gave himself a ransom for our sins," or "for declaring that we are not sanctified by his death and righteousness," or for denying "the morality of the fourth commandment," or the efficacy of infant baptism, or for departing from church at the administration of that ordinance. A few years later, a law was made punishing with fine, whipping, banishment, or with death, any persons "who denied the received books of the Old and New Testaments to be the infallible word of God." We know some persons who would be glad to revive these pleasant statutes at the present

day. We are told, it is not long since an attempt was made, in Massachusetts, to secure the indictment of a distinguished scholar for a learned article, published in a very respectable theological journal, in which he maintained that there was no prophetic passage in the Old Testament which was originally intended to apply to Jesus of Nazareth. It is not yet ten years since there appeared, in one of the leading secular newspapers of Boston, an article written by a venerable clergyman, calling for the arrest and punishment of a young man who had, in a sermon, spoken against the corruption of the Christian church at this day, and the doctrines that had no foundation in reason and the nature of things. Three years' confinement in the State's prison was the punishment demanded for the young minister!

Every body knows the treatment of Baptists and Quakers in Massachusetts. The "great Cotton" declared that denial of infant baptism was "soul-murder," and a capital offence. When Obadiah Holmes was fined thirty pounds for being a Baptist, as he went from the bar he thanked God that he was "counted worthy to suffer for the name of Jesus." "Where-upon," says Holmes, "John Wilson [minister of 'First Church' in Boston] struck me before the judgment-seat and cursed me, saying: 'The curse of God or Jesus go with thee.'" Holmes would not pay his fine, and was whipped thirty stripes with a three-corded whip, "the man striking with all his strength." But he "had such a spiritual manifestation that I could well bear it," says he, "yea, and in a manner felt it not, although it was grievous, as the spectators said." He told the magistrates, "You have struck me as with roses," and "I pray God it may not be laid to your charge." Two men came up after the brutal punishment was over and shook hands with him, saying, "Blessed be God." They were fined forty shillings, and imprisoned. Yet the Baptists continued to increase. Blow the fire, if you wish it to burn.

The town of Malden was fined for presuming to settle a minister without consulting the neighboring churches, though there was no law to that effect. The General Court forbade the settlement of Michael Powell in the ministry, at the second church in Boston; he had been a tavern-keeper at Dedham, and though "gifted," was "unlearned." How humbly he submitted: "My humble request is, that you would not have such hard thoughts of me that I would consent to be ordained to office without your concurrence; nor that our poor church

would attempt such a thing without your approbation." At his death, this "gifted" man left furniture to the value of fourteen pounds, and a library consisting of "three Bibles, a Concordance, with other books," valued at "two pounds."

In Massachusetts, men not members of the church were compelled to support the clergyman, and through her influence Plymouth, always before her sister in liberality, passed a law to the same effect. However, Williams, in his settlement at New Providence, could rejoice that we have not "been consumed with the over-zealous fire of the so-called godly ministers." Saltonstall writes to the New Englanders: "First, you compel such to come into your assemblies as you know will not join you in your worship, and, when they show their dislike thereof, or witness against it, then you stir up your magistrates to punish them for such, as you conceive, their public affronts." Cotton and Wilson replied, "Better be hypocrites than profane persons," "we fled from men's inventions," and only compelled others to attend to "God's institutions,"—that is, to all the abominations of the Puritan creed and ritual. "We content ourselves with unity in the foundation of religion and church order."

Never was the violent attempt to secure "unity in the foundation of religion" less successful. New England was a perfect hotbed of heresy. "How is it," writes Sir Harry Vane, in 1653, "that there are such divisions among you,—such headiness, tumults, disorder, injustice? Are there no wise men among you,—no public self-denying spirits?"

A law was passed prohibiting the erection of a meeting-house without the consent of the freemen of the town,—who were all theocratically orthodox,—and the county court, or the consent of the General Court. It would be "setting up an altar against the Lord's altar." Quakers were banished or hanged. But all this was ineffectual in making men think alike. Baptists, Quakers, Antinomians, Ranters of all sorts there were, excited no doubt by the laws against freedom. The "hateful Episcopalians" at length got a church established, in 1686; the theocracy dwindled.

It is instructive to see the Puritans in New England and the Jesuits in Canada, at the same time, contending to establish a theocracy, both for the same purpose, each by the same means,—the suppression of individual freedom in religion.

"Presbytery does but translate  
The Papacy to a free state,"

said Butler, and with not a little truth. The laws of Massachusetts, which continued in force till the Revolution, provided that a "Popish priest," coming here, should be accounted "an incendiary, and disturber of the public peace and safety." He was to suffer perpetual imprisonment, and death, if he attempted to escape. But spite of the law against "Popish priests," the worst part of Papacy came here,—the spirit of intolerance and persecution.

Along with this intolerance of the churches, the old elements of feudal aristocracy were brought to America, and continued to live for awhile in the new soil. A distinction was carefully kept up between "gentlemen" and those of an inferior condition. Only the "gentlemen" were allowed the title "Mr.;" their number was not very large. The rest rejoiced in the appellation "Goodman." In 1639, some "persons of quality" wished to come to New England, and it was proposed to establish "a standing council for life;" in the Commonwealth there were to be two classes of men, namely, "hereditary gentlemen," to sit as a permanent senate, and a body of "freeholders," who were to send deputies to constitute a lower house. The magistrates and elders favored the scheme, finding it conformable to the "light of nature and Scripture." The "great Cotton," an able man, with the soul of a priest, liked the scheme well; democracy was "not a fit government either for church or state;" monarchy and aristocracy "are approved and directed in Scripture," "but only as a theocracy is set up in both." "If the people are governors," says he, "who shall be governed?" Indignant Mr. Savage, commenting on this measure, says, "the ministers were perpetually meddling with the regimen of the Commonwealth; and we have frequent occasion to regret that their references to the theocracy of Israel were received as authority rather than illustration." But how could it be otherwise, with such a theology? Calvinism naturally leads to an aristocracy on earth, as well as in heaven. The world — this and the next — is for the elect, and who shall lay any thing to their charge? However, the people put an end to all talk about "hereditary gentlemen," who disappear from the history of New England forever. Had this ungodly proposition become a law, the state of things would have been a little different today! For a long time, the law, however, recognized a distinction between the gentleman and the simple man. "No man," says a law of 1641, "shall be beaten above forty stripes; nor shall any true gentleman, or any man equal to a



gentleman, be punished with whipping, unless his crime be very shameful, and his career of life vicious and profligate." But, in 1703, Paul Dudley thought Massachusetts a very poor place for "gentlemen;" meaning, says Mr. Hildreth, "those who wish to grow rich on the labor of others." For some time there was no trial by jury in Connecticut; "no warrant was found for it in the Word of God." We find the democratic element active in New England at the very beginning, continually increasing in strength. At first, it is more powerful in Plymouth than in Massachusetts. For eighteen years, all the laws of Plymouth were made in a general assembly of all the people. The governor was only president of a council of assistants. The church had no pastor for eight years; Brewster, the ruling elder, and such members as had the "gift of prophecy," exhorted the congregations. On Sunday afternoons there was a free meeting; a question was started, and all spoke that saw fit. But gradually the theocratic spirit of Massachusetts invaded the sister colony. Still church membership was not required as a condition of citizenship. In 1631, the freemen in Massachusetts began to be jealous of the theocratic oligarchy which ruled the colony, and claimed the right of annually electing new assistants. The constitution of towns was democratic from the beginning, and has been changed but little since. The towns were then, as now, little republics, managing their own affairs, voting money, levying taxes, and choosing "selectmen," a town clerk, treasurer, and constable. The town system is an original New England institution, and has proved of great value in the acquisition of political liberty. The freedom of the town helped overcome the tyranny of the church.

At first, the magistrates levied the taxes for the whole colony; but, in 1632, the people of Watertown considered that it "was not safe to pay moneys after that sort, for fear of bringing themselves and their posterity into bondage." It was a wholesome and a timely fear. The freemen determined to choose their governor and deputy governor. In 1634, the first representative court assembled; there were three deputies from each of the eight towns or plantations. Soon they demanded fixed and definite laws. It seems quite remarkable, but it is true, that while money was not the chief basis of social respectability, Boston was far before the country in point of liberality. Now, the opposite is true. Providence Plantation led the way in the establishment of liberty; for, in 1647, the government was

declared "democratical," freedom of faith and worship was assured to all, "the first formal and legal establishment of religious liberty ever promulgated," says Mr. Hildreth. In 1652, in Yorkshire, (in Maine,) and in some other parts of New England, church membership was not necessary to citizenship. Toleration began to be demanded for the Church of England, and, as the Puritans had established a theocratic tyranny as bad as what they fled from, so the Episcopalians became an humble instrument in promoting religious freedom in America. In 1662, the king demanded the repeal of the law which limited citizenship to church members, substituting a property qualification instead, and the admission of all persons of honest lives to baptism and the Lord's Supper. For some years there were three parties in New England: the theocratic party, which continually diminished; the Episcopalians, Baptists, and Quakers, who demanded religious freedom; and the moderate men, who mediated between the two extremes. The "halfway covenant" was adopted in 1659; a few years later a Baptist church was formally organized in Boston, and though persecuted for a long time survives to this day. After the revocation of the charter, the theocratic party was weakened still further, and their domination at length came to an end.

"A new school of divines, known as Latitudinarians, sprung up among the Protestants towards the conclusion of the previous century, had essayed the delicate task of reconciling reason with revelation. They not only rejected the authority of tradition, so highly extolled and implicitly relied upon by the Catholics and the English High Churchmen; they scouted, also, that special interior persuasion which the Puritans, after the early Reformers, had denominated faith, but which to these reasoning divines seemed no better than enthusiasm. They preferred to rest the truth of Christianity on the testimony of prophecy and miracles, of which they undertook to establish the reality by the application to the Bible history of the ordinary rules of evidence; by which same rules they undertook to establish, also, the authenticity and inspiration of the Bible itself."—Vol. II. pp. 249–250.

"They presently pushed the principle of the halfway covenant so far as to grant to all persons not immoral in their lives admission to the Lord's Supper; indeed, all the privileges of full church membership. Much to the mortification of the Mathers, who wrote and protested against this doctrine, the college at Cambridge presently passed under the control of the new party—a change not without important results on the intellectual history of New England."—*ib.* p. 250.

"In the century since its settlement, New England had undergone a great change. The austere manners of the Puritan fathers were still, indeed, preserved; their language was repeated; their observances were kept up; their institutions were revered; forms and habits remained—but the spirit was gone. The more ordinary objects of human desire and pursuit, the universal passion for wealth, political squabbles with the royal governors, land speculations, paper money jobs, and projects of territorial and personal aggrandizement, had superseded those metaphysical disputes, that spiritual vision, and that absorbing passion for a pure theocratic commonwealth which had carried the fathers into the wilderness. Even Cotton Mather, such was the progress of opinion, boasted of the harmony in which various religious sects lived together in Boston, and spoke of religious persecution as an obsolete blunder."—Vol. II. p. 306.

"Education and habit, especially in what relates to outward forms, are not easily overcome. Episcopacy made but slow progress in New England. A greater change, however, was silently going on; among the more intelligent and thoughtful, both of laymen and ministers, Latitudinarianism continued to spread. Some approached even toward Socinianism, carefully concealing, however, from themselves, their advance to that abyss. The seeds of schism were broadly sown; but extreme caution and moderation on the side of the Latitudinarians long prevented any open rupture. They rather insinuated than avowed their opinions. Afraid of a controversy, in which they were conscious that popular prejudice would be all against them, unsettled many of them in their own minds, and not daring to probe matters to the bottom, they patiently waited the further effects of that progressive change by which they themselves had been borne along. To gloss over their heresies, they called themselves Arminians; they even took the name of moderate Calvinists. Like all doubters, they lacked the zeal and energy of faith. Like all dissemblers, they were timid and hesitating. Conservatives as well as Latitudinarians, they wished, above all things, to enjoy their salaries and clerical dignities in comfort and in peace. Free comparatively in their studies, they were very cautious in their pulpits how they shocked the fixed prejudices of a bigoted people whose bread they ate. It thus happened, that while the New England theology, as held by the more intelligent, underwent decided changes, the old Puritan phraseology was still generally preserved, and the old Puritan doctrines, in consequence, still kept their hold, to a great extent, on the mass of the people. Yet remarkable local modifications of opinion were silently produced by individual ministers, the influence of the abler Latitudinarian divines being traceable to this day in the respective places of their settlement."

"As the exalted religious imagination of New England subsided

to the common level, as reason and the moral sense began to struggle against the overwhelming pressure of religious awe, a party inevitably appeared which sought by learned glosses to accommodate the hard text of the Scriptures and the hard doctrines of the popular creed to the altered state of the public mind." — Vol. II. pp. 309–311.

"The modern doctrines of religious freedom and free inquiry have constantly gained ground, throwing more and more into the shade that old idea, acted upon with special energy by the Puritan colonists of New England — deep traces of which are also to be found in every North American code — the theocratic idea of a Christian commonwealth, in which every other interest must be made subservient to unity of faith and worship." — *Ib.* p. 391.

At length, Unitarianism and Universalism came, after the Revolution, to bring things to their present condition. As Mr. Hildreth says, of times soon after that, even "in New England, the old leaven of Latitudinarianism was still deeply at work among the learned, while, among the less educated classes, the new doctrine of Universalism began to spread."

Along with this bigotry of the Puritans, there was a hardy vigor, a capacity for doing and enduring, a manly reliance on God and their own arm, one acknowledged, the other not confessed, which are worthy of admiration.

The treatment of the natives has been remarkable. We have before spoken of the national exclusiveness of the Anglo-Saxon race;\* it was never made more apparent than by the Puritans in New England. It is difficult, even for one of their descendants, at the present time, to understand the feeling of our fathers respecting the Indians. Dr. Joseph Mede was a learned and enlightened man, but in 1634 he wrote to his friend, Dr. Twisse, as follows: —

"I think that the Devil, being impatient of the sound of the Gospel and Cross of Christ in every part of this old world, so that he could in no place be quiet for it, and foreseeing that he was like at length to lose all here, bethought himself to provide him of a seed over which he might reign securely; and in a place, *ubi nec Pelopidarum facta neque nomen audiret*.

"That accordingly he drew a Colony out of some of those barbarous Nations dwelling upon the Northern Ocean, (whither the sound of Christ had not yet come) and promising them by some Oracle to shew them a Countrey far better than their own, (which

---

\* No. VIII., Art. IV., p. 440.

he might soon do) pleasant, large, where never man yet inhabited, he conducted them over those desert Lands and Islands (which are many in that sea) by the way of the North into America; which none would ever have gone, had they not first been assured there was a passage that way into a more desirable Country. Namely, as when the world apostatized from the Worship of the true God, God called Abram out of Chaldee into the Land of Canaan, of him to raise him a Seed to preserve a light unto his Name: So the Devil, when he saw the world apostatizing from him, laid the foundations of a new Kingdom, by deducting this Colony from the North into America, where since they have increased into an innumerable multitude. And where did the Devil ever reign more absolutely and without controll, since mankind fell first under his clutches? And here it is to be noted, that the story of the Mexican Kingdom (which was not founded above 400 years before ours came thither) relates out of their own memorials and traditions that they came to that place from the North; whence their God Vitzliliputzli led them, going in an Ark before them: and after divers years travel and many stations (like enough after some generations) they came to the place which the Sign he had given them at their first setting forth pointed out, where they were to finish their travels, build themselves a City, and their God a Temple; which is the place where Mexico was built. Now if the Devil were God's ape in this; why might he not be so likewise in bringing the first Colony of men into that world out of ours? namely, by Oracle, as God did Abraham out of Chaldee, whereto I before resembled it.

"But see the hand of Divine Providence. When the off-spring of these Runnagates from the sound of Christ's Gospel had now replenisht that other world, and began to flourish in those two Kingdoms of Peru and Mexico, Christ our Lord sends his Massives the Spaniards to hunt them out and worry them: Which they did in so hideous a manner, as the like thereunto scarce ever was done since the Sons of Noah came out of the Ark. What an affront to the Devil was this, where he had thought to have reigned securely, and been forever concealed from the knowledge of the followers of Christ?

"Yet the Devil perhaps is less grieved for the loss of his servants by the destroying of them, than he would be to lose them by the saving of them; by which latter way I doubt the Spaniards have despoiled him but of a few. What then if Christ our Lord will give him his second affront with better Christians, which may be more grievous to him than the former? And if Christ shall set him up a light in this manner, to dazle and torment the Devil at his own home, I will hope they shall not so far degenerate (not all of them) as to come in that Army of Gog and Magog against the Kingdom of Christ, but be translated thither before the Devil

be loosed, if not presently after his tying up. And whence should those Nations get notice of the glorious happiness of our world, if not by some Christians that had lived among them?"—*The Works of the Pious & Profoundly-Learned JOSEPH MEDE, B. D., sometime Fellow of Christ's College in Cambridge, &c., &c.* London: 1677. pp. 800–801.

At Plymouth, the Indians were treated with more justice than it is usual for the civilized to show to barbarians. In 1633, legal provision was made in Massachusetts for such red men as should become civilized; but, with Anglo-Saxon exclusiveness, they were to be formed into townships by themselves. Major Gibbons, at a later date, was admonished "of the distance which is to be observed betwixt Christians and barbarians as well in war as in other negotiations." It was with difficulty that Eliot obtained liberty to organize a church at Natick. Yet the threat was made by the praying Indians to the Wampanoags that, unless they accepted the gospel, Massachusetts "would destroy them by war." A sharp distinction was always made between converted Indians and other Christians; they were treated, in every respect, as an inferior race; restricted to villages of their own, and cut off by opinion, as well as law, from intermarriage and intercourse with the whites. No one was allowed to sell them horses or boats. It was proposed to exterminate them, as being of the "cursed seed of Ham." Thus causes were put in action which at length have brought the Indians to their present condition in Massachusetts.

At an early date, many of them were reduced to slavery, some in New England; others were sent off as slaves to the West Indies, eight score at one time, though regular prisoners of war. There were Old Testament examples for this, and even worse treatment. Roger Williams once received "a boy" as his share of the plunder obtained at an Indian defeat. In 1712, Massachusetts forbade the further importation of Indian slaves; not from any moral scruples, but on account of "divers conspiracies, outrages, barbarities, murders, burglaries, thefts, and other notorious crimes and enormities, perpetrated and committed by Indians; being of a surly and revengeful spirit, rude and insolent in their behavior, and very ungovernable." There seems to have been no moral objection to slavery in the great and general court at that time.

Outrageous cruelties were often practised on the Indians. It was once proposed by the Commissioners for the Colonies, that, in case of war, "mastiff dogs might be of good use." But

we think the proposition was not carried out till nearly two hundred years later, then in a different latitude, to the amazement of the civilized world. Even the men of Plymouth loved bloody spectacles at the cost of the Indians. In 1622, Wituwamat's head was carried thither and set up on a pole, as a warning. It was in vain that pious Mr. Robinson wished they had converted some before they killed any. An order was once given to Endicott to put to death all the Indian men on Block Island, and make slaves of the women and children. He could not kill the men, so he stove their canoes, burnt their wigwams, and destroyed their standing corn. While the Rev. Mr. Stone was once praying "for one pledge of love," to confirm the fidelity of the Indian allies, they came in with five such pledges, namely, five Pequod scalps. No doubt, he thought his prayer was "answered." In the war with the Pequods, in 1637, under Mason and Underhill, the colonists "bereaved of pity and without compassion," gave no quarter, and showed no mercy; not even to old men, women, and children. In the capture of an Indian fort, they took only seven prisoners; seven more escaped, but hundreds were slain. Says Underhill, "Great and doleful was the sight, to the view of young soldiers, to see so many souls lie gasping on the ground, so thick that you could hardly pass along." But, then "'twas a famous victory." On another occasion, in the same war, twenty-two Indian prisoners of war were put to death after they had surrendered; about fifty were distributed as slaves, not "to every man a damsel or two," but among the principal colonists. The scalp of Sassacus was sent to Boston. Heads and hands of Pequod warriors were brought in by other Indians! Even the savages thought the "war too furious, and to slay too many." But what can satisfy bigotry in the name of the Lord? Underhill refers to "the wars of David," for his precedent; and, for authority, says "we had sufficient light from the Word of God for our proceedings." Mason adds, "that the Lord was pleased to smite our enemies in the hinder parts, and to give us their land for an inheritance." The New Englanders commanded him to kill Miantonimoh, their captive and former friend; he did so, and ate a portion of the body, for which there was no scriptural warrant. If an Indian injured a white man, and the tribe did not give satisfaction, the offender might be seized and delivered to the injured party, "either to serve or to be shipped off and exchanged for negroes." The women of Marblehead once murdered two Indian prisoners;

it was Sunday, and the murderers had just come out of church.

The most wholesale destructions of the Indians took place during King Philip's war. More than two thousand were killed or taken in a single year. Witamo, the squaw-sachem of Pocasset, and friend of Philip, was drowned, but her body was saved, the head cut off and stuck upon a pole at Taunton, amid the jeers and scoffs of the colonists. Philip's dead body was beheaded and quartered; one of his hands was given to the Indian who shot him, and his head was carried in triumph to Plymouth, on a public day of thanksgiving, (August 17, 1676.) "Oh that men would praise the Lord," says Secretary Morton, "for his goodness and wonderful works unto them!" His wife and son were taken prisoners. What should be done with the lad, a boy nine years old? The opinion of the clergy was asked. Cotton, of Plymouth, and Arnold, of Marshfield, thought in general "that rule (Deuteronomy 24: 16) to be moral and therefore perpetually binding," and the crime of the parent did not attain the son. Yet they say:—

"Yet, upon serious consideration, we humbly conceive that the children of notorious traitors, rebels, and murderers, especially of such as have bin principal leaders and actors in such horrid villainies, and that against a whole nation, yea, the whole Israel of God, may be involved in the guilt of their parents, and may, *salva republica*, be adjudged to death, as to us seems evident by the Scripture instances of *Saul*, *Achan*, *Haman*, the children of whom were cut off, by the sword of Justice, for the transgressions of their parents, although, concerning some of those children, it be manifest, that they were not capable of being co-actors therein."—*Morton's Memorial, Davis' Edition*, p. 454, No. 1.

Increase Mather says:—

"I should have said something about Philip's son. It is necessary that some effectual course should be taken about him. He makes me think of Hadad, who was a little child, when his father (the chief sachem of the Edomites) was killed by Joab; and, had not others fled away with him, I am apt to think, that David would have taken a course that Hadad should never have proved a scourge to the next generation."—*Ib.*, No. 2.

Keith, of Bridgewater, gave a milder counsel, which was followed. The boy was sold into slavery, and the money deposited in the treasury of the colony. Philip's wife also shared the same fate. The State of Massachusetts is so much richer at this day. We wonder the money arising from the



sale, this price of blood, was not given to "The Society for propagating the Gospel among the Indians." In 1725, a premium of one hundred pounds was offered for each Indian scalp. It was estimated that each scalp, in the war of 1704, had cost one thousand pounds. The treatment the Indians receive at the hands of Massachusetts, at this day, is a terrible reproach to us.

There is another matter of a good deal of importance we wish to refer to, namely, the indented servants brought to New England. Governor Bradford, in one of his poetical inspirations, thus alludes to them:—

"Another cause of our declining here  
Is a *mixed multitude*, as doth appear.  
Many for *servants* hitherto were brought,  
Others came for gain, or new ends they sought;  
And of those, many grew loose and profane,  
Tho' some were brought to know God and his name."

"These servants," says Mr. Hildreth, "seem in general to have had little sympathy with the austere manners and opinions of their masters, and their frequent transgressions of Puritan decorum gave its magistrates no little trouble." In 1622, Weston sent out nearly sixty of them; Gorges brought many the next year; Sir William Brewster sent several more in 1628; nearly two hundred came in 1629; Richard Saltonstall sent twenty in 1635. It was one of the offences of Morton, that his "merry mount" was a refuge for "runaway servants." At one time, a master received a grant of fifty acres of land for each servant he brought over. About two hundred servants were once set free on their arrival in New England, in consequence of the scarcity of provisions in the colony!

In 1641, the law allowed any man to harbor servants flying from the tyranny of their masters, until the master could be judicially examined; notice must be given to the master and the nearest constable. A faithful and diligent service, for seven years, entitled the servant to a dismissal. He must not be sent off "empty-handed," says the humane statute, following the Mosaic code in this particular. If a master maimed or disfigured his servant, he was entitled to liberty and to damages also. Still, the law was not very precise in regard to the treatment of this anomalous class of persons.

In 1643, "the united colonies of New England," forgetting the Old Testament, when property was at stake, agreed to

surrender runaway servants. In 1650, the law pursued such servants and arrested them at the public expense; they were required to make up, threefold, the time of their absence.

In 1665, the condition of servants in New York is remarkable.

"Under a provision borrowed from the Connecticut code, fugitive servants might be pursued by hue and cry at the public charge; but this was presently found too expensive, and the cost was imposed on the parties concerned. Runaway servants were to forfeit double the time of their absence, and the cost of their recapture. All who aided in concealing them were liable to a fine. Tyrannical masters and mistresses might be complained of to the overseers, and proceeded against at the Sessions; and servants maimed by their masters were entitled to freedom and damages. During servitude, they were forbidden to sell or buy. Any master of a vessel carrying any person out of the colony without a pass was liable for his debts; and, by a subsequent provision, *any unknown person travelling through any town without a pass was liable to be arrested as a runaway, and detained till he proved his freedom, and paid, by work and labor, if not otherwise able, the cost of his arrest.*"—Vol. II. p. 48.

The importation of this class of persons continued till after the middle of the eighteenth century.

"The colonial enactments for keeping these servants in order, and especially for preventing them from running away, were often very harsh and severe. They were put, for the most part, in these statutes, on the same level with the slaves, but their case in other respects was very different. In all the colonies, the term of indented service, even where no express contract had been entered into, was strictly limited by law, and, except in the case of very young persons, it seldom or never exceeded seven years. On the expiration of that term, these freed servants were absorbed into the mass of white inhabitants, and the way lay open before them and their children to wealth and social distinction. One of the future signers of the Declaration of Independence was brought to Pennsylvania as a redemptioner. In Virginia, at the expiration of his term of service, every redemptioner, in common with other immigrants to the colony, was entitled to a free grant of fifty acres of land, and in all the colonies certain allowances of clothing were required to be made by the late masters."—*Ib.* p. 428.

The subject demands a distinct and entire treatise, for which we have no space at present; but the following document, copied for us by a friend, from the Court-records at Salem, throw some light on the age of which we have been speaking:—

"10 May 1654 Be it known unto all men by these presents that I George Dill, master of the ship Goodfellow; have sould unto Mr. Samuel Symonds two of the Irish youthes I brought over by order of the State of England, the name of one of them is William Dalton, the other Edward Welch, to serve him, his heirs, executors or assignes for the space of 9 years, And the said Samuel in consideration hereof doth promise & engage to be paid unto the said master the sum of £26 in corn merchantable or live cattle at or before the end of October next, provided he give good assurance for the enjoying of them."

At the end of seven years, the "two Irish youthes" ran away, or refused to work any longer. It was to recover the two years' service, or their value, that the action was brought in 1661. The following is their reply, or defence. It will be seen that their names do not agree with the names mentioned by the Captain.

"1661 To the Honoured Court & Jury now assembled the humble defence of W<sup>m</sup> Downeing & Philip Welch in the action between them & their Master W<sup>m</sup> Symonds; That which we say in defence of ourselves is that we were brought out of our own country, contrary to our own will & minds, & sold here to Mr. Symonds, by y<sup>e</sup> Master of the ship, Mr. Dill, but what agreement was made between Mr. Symonds & y<sup>e</sup> said Master, was never acted by our consent or knowledge, yet notwithstanding we have endeavoured to serve him the best service we could these 7 compleat yeares, which is 3 yeares more than the Spirits\* used to sell them for at Barbadoes, when they are stolen in England, And for our service we have noe calling or wages but meate & cloathes. Now 7 yeares' service being so much as is the practice of old England, & thought meet in this place, & we being 21 yeares of age we hope the Honored Court & Jury will seriously consider our conditions."

#### "THE TESTIMONY OF JOHN RING.

"This deponent saith that he with divers others were stolen in Ireland by some of y<sup>e</sup> English soldiers in y<sup>e</sup> night out of their

---

\* "At the Court held in Whitehall December 13th, 1682.

"Whereas it has been Represented to His Majesty that by reason of the frequent Abuses of a lewd sort of people called *Spirits* in Seducing many of His Majesty's Subjects to go on Shipboard, where they have been Seized & Carried by Force to His Majesty's Plantations in America, & that many idle persons, who have Listed themselves voluntarily to be Transported thither & have received money upon their entering into Service for that purpose have afterwards pretended they were Betrayed & Carried away against their wills & procured their friends to prosecute the Merchants, who brought them," &c. &c.

beds and brought to Mr. Dill's ship, where the boate lay ready to receive them and in the way as they went some others they tooke with them against their consents & brought them aboard the said ship, where there were divers others of their countrymen, weeping & crying because they were stolen from their friends, they all declaring the same & amongst the rest were these two men, W<sup>m</sup> Downing & Philip Welch, & there they were kept until upon a Lord's day in the morning y<sup>e</sup> master set saile & left some of his vessels behind for haste as I understood.

"Sworne in Court 26 June 1661."

There were similar servants in the other colonies. Of the hundred and five persons who settled in Virginia in 1606, forty-eight were "gentlemen," "brought up to esteem manual labor degrading. There were but twelve laborers, four carpenters, and four other mechanics, the rest were soldiers and servants." In 1608, one hundred and twenty men of the same sort arrived in Virginia; "vagabond gentlemen, unaccustomed to labor, and disdainful of it, with three or four bankrupt London jewellers, goldsmiths, and refiners, sent out to seek for mines." Governor Smith said of them, that it was better to send out thirty mechanics than a thousand such men! Servants were indispensable in such a community. In 1613, the Governor of Virginia had for his support a plantation cultivated by one hundred servants. In 1619, ninety young women, "pure and uncorrupt," were sent out to be disposed of as wives for the planters. The price was a hundred pounds of tobacco, about seventy-five dollars. A similar cargo, the next year, however, brought only about half that price. We think that was the last adventure of the sort sent to Virginia, — a woman for fifty pounds of tobacco was certainly too cheap.

About the same time, by the order of the king, a hundred dissolute vagabonds were taken from the jails and sent to Virginia, to be disposed of as servants. They were known by the name of "jail-birds." In 1643, the law forbade dealing with any servants without consent of their masters, and punished such as married without the master's consent. They once planned an insurrection in Virginia, which was detected beforehand; and the 13th of September, "the day the villainous plot should have been put in execution," was declared a perpetual holiday.

"Servants 'sold for the custom,' that is, having no indentures, if over nineteen years of age, are to serve five years; if under nineteen, till twenty-four — their ages to be adjudged by the county

court. Masters are to provide 'wholesome and competent diet, clothing, and lodging, by the discretion of the county court;' nor shall they at any time give immoderate correction, nor 'whip a Christian white servant naked,' without an order from a justice of the peace, under penalty of forty shillings to the servant, to be recovered, with costs, on complaint to a justice of the peace, 'without the formal process of an action.' Justices are bound to receive and investigate the complaints of all servants 'not being slaves.' Any resistance or offer of violence on the part of a servant is punishable by an additional year's servitude. Servants are guaranteed the possession of such property as may lawfully come to them by gift or otherwise, but no person may deal with them except by permission of their masters. In case of fines inflicted by penal laws, unless some one would pay the fines for them, servants are to be punished by whipping, at the rate of twenty lashes for every five hundred pounds of tobacco, or fifty shillings sterling—each stroke being thus estimated at about sixty cents. Women servants having bastards are to forfeit to their masters an additional year's service, unless the master were the father, in which case the forfeiture accrues to the church-wardens. In case the father were a negro or mulatto, other penalties are added, as by a law formerly mentioned. The provisions for the arrest of runaways, which are sufficiently stringent, apply equally to slaves and servants, except that outlying slaves might be killed, and irreclaimable runaways 'dismembered.'—Vol. II. pp. 236-237.

Governor Thomas, of Pennsylvania, enlisted the servants, in 1740, into the army, and many of them never returned to their masters, whom the State indemnified for their loss. In 1756, the colonists were much offended because the English government authorized the enlisting of servants, though a compensation was given to their masters. In the revolutionary war, many of the soldiers, enlisted in the middle and southern States, were "redemptioners," or servants. It was proposed in Congress to direct a portion of their pay to compensate the masters for the loss of their services, but at the earnest request of Washington the plan was dropped, and the servants who enlisted were declared freemen. Since the Revolution, we think there have been no servants of this character.

Some curious anecdotes are preserved of the shifts resorted to by servants to escape from their condition. A citizen from Ireland was once "sold to pay his passage" to America, and bought by a farmer in New England, as a servant. The farmer set him to read the Bible one Sunday. He held the book bottom upwards, and could not read. One day he was sent by his master into the woods to chop wood; at night, when

he came home, he was asked how much he had cut; he said, "about a bushel." On looking, it appears he cut it up into slivers. When bade to replenish the fire, he did it with water. He was found of no value for any of the common work of the farm, and his master, who lived on the sea-shore, set him to tend the ducks and geese, to keep them from wandering, or being destroyed, thinking it well, we suppose, to set a goose to watch a goose. At night, the servant came home with his charge, and complained that they must all of them be sick, for, he added, "they have not sucked their mothers once all day." His master considered him a fool, and finding him worthless, refused to keep him. The servant pretended that he was afraid somebody would kill him unless his master gave him a legal discharge, renouncing all claim upon him whatever. This was done; and within less than a week the foolish servant opened a school in the very town where he had been bought, and from the office of schoolmaster rose to high political stations in New England, and founded a family still proud of his name.

We cannot pass over the matter of slavery, to which Mr. Hildreth has directed much attention, and which is likely to be an interesting subject for some years to come. At the time of the settlement of America, the idea was beginning to prevail, that it was wrong to hold Christians in bondage, but this objection did not extend to heathens and infidels. It was prudently discovered that the negroes were the descendants of Ham, and the inheritors of the curse of the mythological Noah. Who so fit for bondmen as the negroes? It conduced to "godliness" to make them slaves, as well as to "great gain." The same year in which the Pilgrims came to Plymouth, twenty negroes were brought to Virginia as slaves for life, no doubt to the great comfort of the "gentlemen" there. It is not long before we find them in New England; not long before Boston is concerned in the slave-trade, from which she is not yet become free; for while we are writing this paper, we learn that a ship from Boston, the "Lucy Anne," has lately been seized, loaded with five hundred and forty-seven slaves! Another vessel, from the same port, the "Pilot," is also in British custody for the same offence. The actual seizure of five hundred and forty-seven slaves in Africa is by no means the most infamous part of the support which this city furnishes to slavery, only one of the obvious indications of a spirit well known to exist in Boston, and by no means confined to "illit-

erate and profane persons." The laws of Massachusetts, in 1641, justified enslaving "captives taken in just wars, and such strangers as willingly sell themselves or are sold unto us."

In 1662, Virginia revised the rule of the common law, and declared that children should follow the condition of their mother. All the Southern States have since adopted the same iniquitous provision. In 1663, Maryland made a law that the child of a free white woman shall follow the condition of the *father* if he be a slave: this was repealed a few years later; but a fine of ten thousand pounds of tobacco was imposed on the clergymen or the masters and mistresses who promoted or connived at the marriage of such persons.

In 1667, Virginia declared that Christianity was no bar to slavery — but the slave should not escape from bondage by communion and baptism; killing a slave was declared not felony. Indians "imported by shipping," and not Christians, might be slaves for life. In 1671, there were two thousand "black slaves" in Virginia, and six thousand "Christian servants;" of whom about fifteen hundred were imported yearly. In 1682, all negroes, mulattoes, or Indians, brought into the colony by sea or *land*, *Christians* or not, were declared slaves for life, unless they were of *Christian parentage or country*. In 1692, an "act for suppressing outlying slaves," declares that, if they resist, run away, or refuse to surrender, "they may be lawfully killed or destroyed with guns, or any other way whatever." The state was to indemnify the master for the loss, giving four thousand pounds of tobacco for a negro. A thousand pounds of tobacco were offered to any one who should kill a certain runaway — the "negro slave Billy." In 1705, laws were passed to prevent intermarriages between blacks and whites, and against emancipating slaves. Summary tribunals were established for the trial of slaves, "without the solemnity of a jury." They were to be kept in jail, "well laden with irons." Even in Pennsylvania, William Penn could not secure the right of equal marriage for slaves! As slaves increased — and about one thousand were annually imported into Virginia in 1720, and for some time after — the laws became more rigorous. It was made more difficult to set them free.

South Carolina has always been remarkable for the rigor of her slave laws. In 1670, the "fundamental and unalterable constitution" provided that every freeman "shall have absolute power and authority over his negro slaves." In 1704,

we find one James Moore, a "needy, forward, and ambitious man," kidnapping Indians to sell as slaves. Many others did the same in 1712, on a large scale, taking eight hundred at one time, and re-annexing Indian villages. A law was made the same year making it the duty of every person to arrest any slave found abroad without a pass, and give him "moderate chastisement." A slave guilty of petty larceny, for the first offence, was to be "publicly and severely whipped;" for the second, "one of his ears to be cut off," or "be branded on the forehead with a hot iron;" for the third, he was "to have his nose slit;" for the fourth, to "suffer death, or other punishment," at the discretion of the court. Any two justices of the peace, with three freeholders whom they might summon, formed a court for the trial of any slave, charged with any crime, from "chicken-stealing" to insurrection and murder; and was competent to sentence the accused to punishment, even if it were death, and have it executed forthwith, on their warrant alone! This mode of trial remains in force in South Carolina till this day. It was a capital crime for a slave to run out of the province, or for a white man to entice him to do so.

"Any slave running away for twenty days at once, for the first offence was to be 'severely and publicly whipped.' In case the master neglected to inflict this punishment, any justice might order it to be inflicted by the constable, at the master's expense. For the second offence, the runaway was to be branded with the letter R on the right cheek. If the master omitted it, he was to forfeit ten pounds, and any justice of the peace might order the branding done. For the third offence, the runaway, if absent thirty days, was to be whipped, and have one of his ears cut off; the master neglecting to do it to forfeit twenty pounds; any justice, on complaint, to order it done as before. For the fourth offence, the runaway, 'if a man, was to be gelt,' to be paid for by the province, if he died under the operation; if a woman, she was to be severely whipped, branded on the left cheek with the letter R, and her left ear cut off. Any master neglecting for twenty days to inflict these atrocious cruelties, was to forfeit his property in the slave to any informer who might complain of him within six months. Any captain or commander of a company, 'on notice of the haunt, residence, and hiding-place of any runaway slaves,' was 'to pursue, apprehend, and take them, either alive or dead,' being in either case entitled to a premium of from two to four pounds for each slave. All persons wounded or disabled on such expeditions were to be compensated by the public. If any slave under punishment 'shall



suffer in life or member, which,' says the act, 'seldom happens, no person whatsoever shall be liable to any penalty therefor.' Any person killing his slave out of 'wantonness,' 'bloody-mindedness,' or 'cruel intention,' was to forfeit 'fifty pounds current money,' or, if the slave belonged to another person, twenty-five pounds to the public, and the slave's value to the owner. No master was to allow his slaves to hire their own time, or, by a supplementary act, two years after, 'to plant for themselves any corn, pease, or rice, or to keep any stock of hogs, cattle, or horses.'"

"'Since charity and the Christian religion which we profess,' says the concluding section of this remarkable act, 'obliges us to wish well to the souls of men, and that religion may not be made a pretence to alter any man's property and right, and that no person may neglect to baptize their negroes or slaves for fear that thereby they should be manumitted and set free,' 'it shall be and is hereby declared lawful for any negro or Indian slave, or any other slave or slaves whatsoever, to receive and profess the Christian faith, and to be thereunto baptized; but, notwithstanding such slave or slaves shall receive or profess the Christian religion, and be baptized, he or they shall not thereby be manumitted or set free.'"

"South Carolina, it thus appears, assumed at the beginning the same bad preëminence on the subject of slave legislation which she still maintains."—Vol. II. pp. 273–275.

At this day, no man in South Carolina can be elected as representative to the Assembly, unless legally seized and possessed of ten slaves in his own right.

At first, slavery was not permitted in Georgia; but many of the settlers of that province were taken from workhouses, from debtors' prisons, and even worse places; "selected from the most helpless, querulous, and grasping portion of the community," "broken traders and insolvent debtors;" men "found in the end as worthless as they were discontented and troublesome." "They were very importunate," says Mr. Hildreth, "for permission to hold slaves, without whose labors they insisted lands in Georgia could not be cultivated."

"'Most of the early settlers were altogether unworthy of the assistance they received,' so says Stevens, a recent and judicious native historian of the colony, who has written from very full materials. 'They were disappointed in the quality and fertility of their lands; were unwilling to labor; hung for support upon the trustees' store; were clamorous for privileges to which they had no right; and fomented discontent and faction where it was hoped

they would live together in brotherly peace and charity.' What wonder that men so idle, thrifless, and ungrateful, called loudly for slaves, whose unpaid labors might support them for life?" — Vol. II. p. 371.

So they had their slavery, and thereby Georgia attained her present condition and — prospects!

The gradual progress of liberty is remarkable in New England. Hubbard, with the spirit of a priest, complains of the "inordinate love of liberty or fear of restraint, especially in matters of religion," which prevailed in 1647, and speaks of "all that rabble of men that went under the name of Independents — whether Anabaptists, Antinomians, Familists, or Seekers," with the same theocratic contempt now exhibited by sectarian bigotry and personal malice, which has not the power to bite, and only barks at the freemen of God, who go on their way rejoicing. There are in New England two visible bulwarks of liberty — the free school, and the free printing press. In 1639, the first printing press in America was set up at Cambridge. However, it was kept under a strict censorship, and no other was for a long time allowed to be set up. The first three things printed are symbolical of New England: the "Freeman's Oath" was the proof-shot of the press, then came an "Almanac made for New England," then the "Psalms turned into Metre," also "made for New England," by men who knew how to

"Crack the ear of melody,  
And break the legs of time."

The freedom of the press was not allowed, however, for a long time. Andros was to allow no printing in 1686; King William also forbade it in 1688. In 1719, Governor Shute objected to the printing of an obnoxious paper by the order of the General Court, declaring that he had power over the press, and would prevent it. The paper was printed; the Governor wished to prosecute the printer, but the Attorney-General could find no law on which to frame an indictment. This was by no means the last instance of an attempt by men "clothed with a little brief authority," to shackle the freedom of the press. The attempt has been repeated in Massachusetts in our own day, but what was once dangerous is now simply laughable. A donkey bracing himself against a locomotive is not a very formidable antagonist, yet he might have overturned the "Ark of Jehovah" when drawn by "two heifers" with no one to guide them.

In 1682, a printing press was established in Virginia, and the laws of that year were printed. But the governor, Culpepper, put the printer under bonds to print nothing till His Majesty's pleasure should be known. The next year, King James the Second forbade any printing press in the colony, and Virginia had none till 1729.

In 1687, the third printing press was set up at Philadelphia. The fourth was at New York, in 1692.

The first newspaper in America was established at Boston, in 1704, only containing advertisements and items of news; a regular newspaper, discussing public affairs, was begun here in 1722, conducted by James Franklin; "but it perished for want of support," says Mr. Hildreth, "ominous fate of the first free press in America!"

The records of Boston contain this entry, under date of April 18, 1635: "It was then generally agreed upon, that our brother Philemon Purmont shall be instructed to become schoolmaster for the teaching and nourtering of children with us." It does not appear that he kept a free school. In 1638, Harvard College was established. Private benefactions and public gifts helped endow this first collegiate institution in America. In 1642, the General Court passed a law making it the duty of the selectmen to see that every child was taught "perfectly to read the English tongue;" a fine of twenty shillings for each neglect was imposed. Thus was an attempt made to render education universal, and, in 1647, a law was passed making it also free; every town of fifty families was to have a teacher to instruct all the children in common branches, and each town of a hundred families was commanded to "set up a grammar school," where lads might be "fitted for the University." At that time, Massachusetts contained about twenty thousand inhabitants, and the entire property of the whole people, the valuation of the colony, could hardly amount to more than two or three millions of dollars. This is the first attempt in the world to provide by law for the public education of the people on such a scale. The Massachusetts system was soon adopted at Plymouth and New Haven. In this law, we find an explanation of much of the prosperity of New England, and the influence she has exerted on America and the world.

Another important thing in our history is the trade of the country. New England early manifested the Yankee fondness for trade and manufactures. In 1634, there were watermills at Roxbury and Dorchester, windmills in other places. Ver-

sels were built, the "Blessing of the Bay," and the "Rebecca," and a trade began with New York, with Virginia, and the West Indies. In 1675, the little ships of New England stole along the coasts of America, trafficking with Maryland, Virginia, Carolina, Antigua, and Barbadoes, or boldly stemmed the Atlantic wave, sailing to England, Holland, Spain, or Italy. The jealousy, the fear, and hate with which New England enterprise, on land or sea, was met in Old England, by the merchants and the government of Britain, would be astonishing at this day, if we did not see the same bigotry and torism reproduced in New England itself at the present time. But we have not space to dwell on this theme.

It is curious to see how early the habit of self-reliance got established in New England. Every man was a soldier, every church member a citizen in full. Soon, all men were able to read and write. Necessity at first forced them to rely on "God, and their own right arm." By and by, when the mother country interfered, she found a child not accustomed to submission.

But we must pass away from this theme, and pass over many other matters of interest touched upon by Mr. Hildreth in this work, and speak of his book in general, and in special. It strikes us that, on the whole, the history of the colonial and provincial period is better and more happily treated than that of the Revolution. Everywhere we see marks of the same intellectual vigor which distinguishes the former writings of Mr. Hildreth. There is a strength and freshness in his style. He writes in the interest of mankind, and not for any portion thereof. He allows no local attachment, or reverence for men or classes of men, to keep him from telling the truth as he finds it. He exhibits the good and evil qualities of the settlers of the United States, with the same coolness and impartiality. His work is almost wholly objective,—giving the facts, not his opinions about the facts. He shows two things as they have not been exposed before,—the bigoted character of the settlers of New England, and the early history and gradual development of slavery in the South. His book is written in the spirit of democracy, which continually appears in spite of the author.

We must say something of its faults of matter and of form. The division into chapters, it seems to us, is not uniformly well made; sometimes this division disturbs the unity of the subject. He gives us too little of the philosophical part of his

tory ; too little, perhaps, of the ornamental. He lacks the picturesqueness of style which makes history so attractive in some authors. He does not give the student his authorities in the margin, as it seems to us he ought to do. His dates are not always to be relied upon. We notice some errors, the results of haste, which we trust he will correct in a second edition. Thus, in Volume I. p. 257, he says that Locke maintained that men's souls, "mortal by generation, are made immortal by Christ's purchase." It is well known that this was the opinion of Dodwell, who makes baptism a condition *sine quâ non* of immortality, but we have never found the doctrine in Locke.

In Volume II. page 397, *et seq.*, he omits some important particulars. The provincial troops, who comprised the entire land forces, were deprived of all share of the prize money, which amounted to one million pounds. The land forces were entitled to the greater part of it, but got none ; the expense of these forces remained a long time a heavy burden on the colonies, and especially on Massachusetts. Commodore Warren, and the naval forces, kept the whole of the prize money, which was contrary to all law, usage, and equity.

On page 518, he calls Lord Grenville "Bute's chancellor of the exchequer." George Grenville was chancellor of the exchequer, but was never a lord. Bute was never in the ministry. George Grenville was not of the party called "king's friends," as Mr. Hildreth intimates on page 533.

Volume III. page 58, Dean Tucker is called "author of the Light of Nature," which was written by a country gentleman rejoicing in the name of Abraham Tucker, with a literary *alias* Edward Search.

Page 62: "The private sentiments of Lord North were not materially different from those of Chatham." They differed in almost every material point,—as to the right of taxation, and the expediency of asserting it by force.

Page 66, the bridge spoken of was in Salem, not between Salem and Danvers ; it was not a company of militia under Colonel Pickering, but a party of citizens.

Page 319, the praise of Arnold appears excessive. He was hardly "one of the most honored [officers] in the American army." He was distinguished for courage more than conduct, and not at all for integrity.

Page 418, he speaks of an intercepted letter, which "seemed to imply a settled policy, on the part of France, to exclude the Americans from the fisheries and the Western lands." Mr.

Sparks, in his *Life of Franklin*, has successfully vindicated the French court from the charge of ill faith in these negotiations.

Page 419, he relies on John Adams' letter to Cushing, as authority for an odious sentiment ascribed to Mr. Adams. This letter was a forgery, and was so pronounced by Mr. Adams himself, in a letter written at the close of his administration, dated the 4th of March, 1801, and published extensively in the newspapers of that period. It is in the *Columbian Centinel*.

These are slight blemishes, which may easily be corrected in a new edition.

On the whole, this history must be regarded as a work of much value and importance. It is written in the American spirit, in a style always brief but always clear, without a single idle word. We look with high expectations for the volume which will bring the history down to our own times.

---

#### ART. VI.—SHORT REVIEWS AND NOTICES.

- 1.—*The Annual of Scientific Discovery: or Year Book of Facts in Science and Art. Exhibiting the most Important Discoveries and Improvements in Mechanics, Useful Arts, Material Philosophy, &c. &c. &c.* Edited by DAVID A. WELLS, SR., & GEORGE BLISS, JR. Boston. 1850. 12mo. pp. 392.

THIS volume sets the mental activity of the age in a more striking light than any work that we remember to have seen. It contains many curious facts; the book is well arranged, well printed, and provided with a good index. But it is an unscientific work, and contains much that is not valuable. Many things are stated on the authority of common newspapers, some on no authority that is referred to. We were surprised to see the story of "Men with Tails," in such a work.

- 
- 2.—*Proceedings of the American Association for the Advancement of Science.* Second Meeting held at Cambridge, August, 1849. Boston. 1850. 8vo. pp. xx. and 459.

THIS is full of interesting and valuable matter relating to Botany, Geology, Chemistry, Astronomy. One of the most remarkable papers is that on Phyllotaxis, by Professors Gray and Pierce. The volume is furnished with an index, but lacks a table of contents.

- 3.—*Memoiren von März, 1848, bis Juli, 1849. Beitrag zur Geschichte der Wiener Revolution von Dr. ANTON FÜSTER, &c., &c.* Frankfurt, a M. 1850. 2 vols., 12mo., pp. 296 and 304.

DR. FÜSTER was formerly a Professor of Theology at Görz, for eight years Preacher at Triest, Dom-Prediger at Laibach, and at length, in 1847, Professor of Theology and Pædagogy at the University of Vienna. He was apparently a Catholic, but distinguished for liberal opinions. He was one of the leaders in the beginning of the Revolution at Vienna, the Commander of the Academic Legion, and for some time the actual Ruler of Vienna. At the failure of the Revolution, he was obliged to flee for his life. These two volumes, containing his account of the Austrian Revolution, are authentic and interesting. They are written with a good deal of minute detail, in a style singularly fresh and vigorous. Some of the speeches of Dr. Fuster indicate great powers of popular oratory. He is now in Boston, no longer a Catholic. He preaches on his own account to a German congregation every Sunday evening, advocating the liberal principles of Protestantism. He is a learned and accomplished man. The Austrian persecution still follows him to America.

---

- 4.—*The Scarlet Letter: a Romance.* By NATHANIEL HAWTHORNE. Boston. 1850. 12mo. pp. iv. and 322.

EVERYBODY will rejoice that Mr. Hawthorne has broken his long silence and given us another tale. For power of conception and beauty of execution, we think this a great deal superior to any of his former productions. The romance would be an ornament to any literature in the world. We are glad to learn that its sale has been rapid beyond precedent for a work of this character.

---

- 5.—*Poems.* By HENRY WADSWORTH LONGFELLOW. In two volumes, a new edition. Boston. 1850. 12mo. pp. xvi. and 475; vi. and 452.

MR. LONGFELLOW is the most popular poet of America, and his many friends—for we think so loving a spirit has no enemies—will welcome these two beautiful volumes, full of their old favorites. The author has collected here all the pieces from his pen which he wishes to preserve; all but one we think have been published before,—the Prelude, a pleasing introduction to the series which follows.

- 6.—*The Life and Religion of Mohammed, as contained in the Sheeah Traditions of the Hyât-ul-Kuloob. Translated from the Persian.* By REV. JAMES L. MERRICK, eleven years Missionary to the Persians. Member of the American Oriental Society. Boston. 1850. 8vo. pp. xvi. and 489.

THIS is one of the most valuable contributions to the Mohammedan literature of the Christian world which has been made for many years. Mr. Merrick translates from the second volume of the *Hyât-ul-Kuloob*, or *Life of Hearts*, a work written by Mohammed Bâker, a celebrated and voluminous Persian author, who was born about A. D. 1627, and died about 1697. All the lives of Mohammed, known to the Christians hitherto, have been derived from a single sect of Mohammedans,—the Sunnees; this comes from the rival sect, the Sheeahs. The book is curious and entertaining as well as instructive. The translation has been executed with great care and fidelity by Mr. Merrick. We would say more of it here, but have prepared an elaborate article on the subject, which will appear in another place.

- 7.—*The Optimist.* By HENRY T. TUCKERMAN, &c. New York. 1850. 12mo. pp. xii. and 273.

THIS volume contains twenty-two essays on “all sorts of subjects,” such as New England Philosophy, and New York Colonists, Hands, Hair, Manner, Flowers, Humor, Love and the Weather. These several papers are of quite unequal merit, but some of them are original in thought and written in a fresh and pleasing style. The author does not aim at a very “high praise,” but has written an agreeable book.

#### LIST OF NEW PUBLICATIONS RECEIVED.

Aristotelis *Metaphysica* recognovit et enarravit Hermannus Bonitz, &c. Bonnæ. 1848-9. 2 vols. 8vo. pp. xx. and 278; vi. and 626.

Cassii Dionis Cocceiani *Rerum romanorum Libri Octoginta* ab Immanuele Bekkero recogniti. Lipsiæ. 1849. 2 vols. 8vo. pp. vi. 586 and 593.

Chronologie der Apostolischen Zeitalters bis zum Tode des Apostel Paulus und Petrus. Ein Versuch über die Chronologie und Abassungszeit des Apostelgeschichte und der paulinischen Briefe. Von Dr. Karl Wieseler, &c. &c. Göttingen. 1848. 8vo. pp. xvi. and 606.

Friedrich Schleiermacher's *Literarischer Nachlass.* Zur Philosophie, Siebenter Band, Erziehungslehre. Berlin. 1849. 8vo. pp. xxvi. and 816.

Sancti Irensei Episcopi lugdunensis quæ supersunt Omnia, &c. &c. Ed: Adolphus S. Stierren. Tomi I. Pars I. Lips. 1848. pp. viii. and 320. Tomi II. Pars I. [Apparatus.] pp. viii. and 528.

Das Evangelium und die Briefe Johannis nach ihrem Lehrbegriff dargestellt von Dr. Adolf Hilgenfeld, &c. Halle. 1849. pp. viii. and 356.



Handbuch der Kirchlichen Geographie und Statistik von den Zeiten der Apostel, bis zu dem Anfänge des xvi. ten Jahrhunderts, &c. &c. Von J. E. T. Willisch. Berlin. 1846. 2 vols. 8vo. pp. vi. and 534, x. and 426.

Die Zitten und Gebrünche der Deutschen und ihrer Nachbarvölker mit Bezugnahme auf die Mythen und Volkssagen, von F. Nork. (Vol. xii. of the "Kloster.") Stuttgart. 1849. 16mo. pp. viii. and 1188.

Dr. Philipp Mahrheinicke Theologische Vorlesungen, herausgegeben von Stephan Mathies und Vatska. Berlin. 1847—1849. 4 vols. 8vo. pp. xxx. and 641, x. and 593, vi. and 626, vi. and 693.

Die Erdkunde von Asien von Carl Ritter. Band viii., 11te Abt. Die Sinai-Halbinsel. Berlin. 1848. 8vo. (Vol. xiv. of the book.) pp. xviii. and 1141.

Die Wahre und falsche Orthodoxie. Eine Geschichtliche Darstellung von Dr. C. F. von Ammon. Lips. 1848. 8vo. pp. xiv. and 322.

Elementary Sketches of Moral Philosophy, delivered at the Royal Institutions in the years 1804, 1805, and 1806. By the Rev. Sydney Smith M. A., London. 1850. 8vo. pp. xii. and 424.

Essays on his own Times, forming a second series of the Friend. By Samuel Taylor Coleridge. Edited by his daughter. London. 1850. 3 vols. 12mo. pp. xciii. and 1034.

Lamartine on Atheism. Atheism among the People. By Alphonse de Lamartine. Boston. 1850. 12vo. pp. 71.

Anthropology; or the Science of Man, in its Bearing on War and Slavery, &c. &c. By Henry C. Wright. Cincinnati. 1850. 12mo. pp. 96.

Decline and Fall of the Roman Empire. By Edward Gibbon, Esq., with notes by the Publisher, H. H. Milman, &c. A new edition, to which is added a complete index of the whole work. In six volumes. Boston. 1850. Vol. II, III. and IV. 12mo. pp. xiv. and 593, xv. and 643, xvi. and 637. [This is reprinted from Milman's latest edition.]

The Heavenly Union, or New Jerusalem, on Earth. Its Principles, Practices, and Persuasions, as applicable to our Age. By William H. Porter, &c. Boston. 1850. 12mo. pp. xiv. and 280.

The Harmony of Interests, Agricultural, Manufacturing, and Commercial. By H. C. Cary. Philadelphia. 1850. 8vo. Three parts.

Pride and Prejudice, a novel. By Miss Austin, with a biographical notice of the author. 1849. 12mo. pp. 26.

Duties of Young Men. By E. H. Chapin. Revised edition. Boston. 1850. 18mo. pp. vi. and 203.

Duties of Young Women. By E. H. Chapin. Boston. 1850. 16mo. pp. vi. and 216.

A History of Jesus. By W. H. Furness. Boston. 1850. 12mo. pp. 292.

The Angel World, and other Poems. By J. H. Bailey. Boston. 1850. 12mo. pp. 114.

Frontenac, or the Atotarho of the Iroquois, a metrical Romance. By Alfred B. Street. 12mo. [Notice in next number.]

Tea and the Tea Trade, &c. &c., by Gideon Nye, Jr., of Canton. Third edition. New York. 8vo. pp. 56.

Latter-Day Pamphlets, edited by Thomas Carlyle, &c. Boston. 1850. 12mo.

No. I. The Present Time. pp. 60.

No. II. Model Prisons. pp. 47.

No. III. Downing Street. pp. 49.

No. IV. The New Downing Street. pp. 57.

No. V. The Stamp Orator. pp. 54. [We hope to speak of these at length when the series is finished.]

Letters to the Hon. William W. Meredith, Secretary of the Treasury, on his recent Treasury Report. The Injurious Effects of Protective and Prohibitory Duties, and the Advantages of Free Trade, &c., &c. By S. D. Bradford, Esq., &c. Boston. 1850. 8vo. pp. 36.

Free Schools; an Address delivered before the Onondaga Teachers' Institute, April 20, 1850. By William Crandall, &c. Syracuse. 1850. 8vo. pp. 15.

The Inseparable Trio; a Sermon delivered before His Excellency, George N. Briggs, &c. &c. &c., at the Annual Election, &c. By Edward Hitchcock, D. D., LL. D., &c. Boston. 1850. 8vo. pp. 45.

The Church and the World; a Lecture delivered by the Right Rev. John Hughes, D. D., Bishop of New York. New York. 1850. 8vo. pp. 31.

Farewell: a Sermon preached to the First Church, on resigning its Pastoral Charge, Sunday, March 10, 1850. By N. L. Frothingham. Printed by Request. Boston. 1850. 8vo. pp. 26.

An Essay on the Opium Trade, Including a Sketch of its History, Extent, Effects, &c. &c. By Nathan Allen, M. D. Boston. 1850. 8vo. pp. 68.

Parallels between the Constitutions and Constitutional History of England and Hungary. By J. Toulmin Smith, Esq., &c. &c. Boston. 1850. 8vo. pp. 64.

The Joys of Toil; a Poem, pronounced on the Thirtieth Anniversary of the Mechanic Apprentices' Library Association, February 22, 1850, by George Coolidge, &c. &c. &c. Boston. 1850. 8vo. pp. 16.

The Union of the Human Race; a Lecture delivered before the Quincy Lyceum, in Quincy, Mass., Feb. 7, 1850. By William P. Lunt. Boston. 1850. 8vo. pp. 37.

A Lecture Introductory to the Course on Surgery, delivered at the Massachusetts Medical College, in Boston. By Henry J. Bigelow, M. D., &c. Boston. 1850. 8vo. pp. 24.

Substance of the Speech made by Gerrit Smith, in the Capitol of the State of New York, March 11 and 12, 1850. Albany. 1850. 8vo. pp. 30.

Speech of the Hon. Daniel Webster, upon the subject of Slavery; delivered in the United States Senate, on Thursday, March 7, 1850; as revised and corrected by himself. Boston. 1850. 8vo. pp. 39.

Review of Webster's Speech on Slavery. By Wendell Phillips. Boston. 1850. 8vo. pp. 44.

New Dangers to Freedom, and new Duties for its Defenders; a Letter by the Hon. Horace Mann, to his Constituents. May 3, 1850. Boston. 1850. 8vo. pp. 32.

Theodore Parker's Review of Webster. Speech of Theodore Parker, &c., &c. March 25, 1850. Boston. 1850. 8vo. pp. 26.

Slavery and the Constitution. Both Sides of the Question. By Francis E. Brewster. Philadelphia. 1850. 8vo. pp. 24.

A Latter-Day Pamphlet. Christ and the Pharisees upon the Sabbath. By a Student of Divinity; some time Student of Law, &c. Boston. 1850. 8vo. pp. 71.

Remarks on the Comparative Value of different Anæsthetic Agents. By George Hayward, M. D., &c. Boston. 1850. 8vo. pp. 11.

Illegality of the Trial of John W. Webster. By Lysander Spooner. Boston. 1850. 8vo. pp. 16.



# MASSACHUSETTS QUARTERLY REVIEW.

NO. XII.—SEPTEMBER, 1850.

---

## ART. I.—SENATORIAL OPINIONS ON THE RIGHT OF PETITION.

THE right of petition, as it was secured by the American people in the constitution, and as they still understand it, they should hold very dear. Indeed, to permit unrebuked its repeated violation, especially if no effort be made to reëstablish the right, and make it more widely known and better appreciated, amounts to a virtual surrender of it. If we mistake not, such a course can be shown to lead to an entire prostration of the spirit of the government; and if this sentiment be not gathered from the remarks that follow, the writer will widely have missed one of his chief aims.

The governments of the old world have, generally, been founded by the superior energy of a few; and those who administer them have been supposed to possess *independent* rights — rights inconsistent with the welfare of the people. The ignorance in which the latter were kept — their not knowing what was due to them, frequently induced an acknowledgment, on their part, that these pretensions were well founded. The frequent revolutions in Europe, particularly of late, have arisen from the pressure of these pretensions, on what the people believed to be their own rights; and, both parties thinking that they were right, the controversy becomes very sanguinary. The preservation of the form by which power was secured to the rulers, was to them, so far as government was concerned, the chief interest; and, as grievances were thought to be felt, first of all, by them, it was supposed that they would redress them. Government being deemed superior to the people, its acts were mainly for those concerned in carrying it on; if the people were incidentally benefited, so much the better. In

these governments—even in the least illiberal of them—there was some restriction, if it did not amount to an entire prohibition, of the assembling of the people, and of their petitioning for a redress of grievances. This, if it does not prevail up to this time,\* prevailed to a great extent at the time our constitution was made.

But, in the formation of our government, besides the changes that were made in many other things, elsewhere deemed indispensable, this relation of the government and the people was to be completely reversed. Here, the scabbard was not to be more important than the sword it protected. The people were to be superior to the government which they formed. They were to be viewed as making the government solely for their own convenience and benefit, and as delegating to others their power to administer it. Indeed, they were looked on so much as the substance of all government, that it was formally acknowledged they had the right to change the form of it whenever they chose. The people were considered as the soul—those who administer the government, as the body; the first may always live; the last may die, or give place to something better. This delegation by the people, made those, to whom they entrusted their rights, generally honorable; and, as they never wish any thing done for them without fully paying for it, they gave their delegates, themselves, the right to say, what the honest discharge of their duties was worth,—empowering them at the same time to take the amount from the treasury, as they earned it; but they never intended their delegates, as such, to acquire any powers or rights separate from those of the people.

It is quite clear that the people of this country meant to do something in regard to the right of petition; something they had not done before; something, perhaps, which had never been done before. The Turkish Sultan, we are told, rarely goes abroad, even to take an airing, without having multitudes of petitions presented to him. They are all received with great complaisance, and, as he has the power of taking life at his discretion, they are, no doubt, respectfully worded. But they relate, we suppose, to private or individual griefs, re-

---

\* The writer was told in 1840, by an intelligent Frenchman, then directly from Paris, and having his residence in that city, that large popular meetings could not be held in France, without the permission of the government first obtained. Probably, the late meeting of the Peace Society in Paris, verified this, notwithstanding the change in the government.

quiring no act of ordinary legislation, for no such act is performed there, to redress or alleviate them; and they very probably have but slight connection, if any, with what we understand as "grievances." Grievances, no doubt, include individual cases, but we commonly mean by them that more than one, indeed that a good many, are affected or endangered; that they can be removed or lightened by an act of legislation, such as Congress is competent to pass, and that the public interest will be somewhat retarded or hindered, should they not be redressed. Now, to say that Congress, the very body to be addressed, have the authority to determine what petitions shall be addressed to them, is, in effect, to say that nothing, at least, to any purpose, has been done — for a congress could do this before the Revolution. They could always have had petitions, such as they would choose to receive, relating to topics on which they might wish to legislate. But to do this was plainly only permitted to the people. They had no Right. If there was any right in the matter, Congress had it. But we have just seen that to secure the right to Congress, would, really, have been doing nothing — and there is the constitutional provision, which we are not to suppose was inserted for no purpose. If, then, it was put in for some purpose, and if it was unnecessary for Congress, and if there is only one other party, we are driven to conclude, if language do not totally contradict us, that it was meant for the other party — **THE PEOPLE.**

It ought, also, to be borne in mind that, after the convention had formed the constitution, and closed their labors; after having inserted into that instrument all they thought necessary, and submitted it to the people for their ratification, this omission was regarded as so material that it was not only made a part of the constitution, but, ultimately, the first amendment or addition to it. The foregoing consideration shows that, in popular estimation at least, this right, though necessarily, at first, a minority right — as we expect to show in the progress of these remarks more at large — was considered of great value.

That the people thought they had secured it — indeed, that they did as well they could — there can be no doubt. But has it not practically fared with this right, as it has with most others where "every body's business is nobody's?" While men slept, under the belief that there was no danger, their servants, the legislative powers, have been more wakeful and eager to take it from them. Has this right — there being no one

especially appointed to guard it, and give the alarm on its invasion — never been cloven down? Has it not indeed been so repeatedly cloven down, without popular rebuke, or remonstrance, or even uneasiness, that it is now denied by the very persons to whom the petition was to be sent as a guide to their proceedings, by their superiors? To be more explicit on this subject of right, and that there may be no misunderstanding of it: My ancestors have purchased, for unquestioned consideration, of him who had authority equally unquestioned to sell, a right of way, to be used, at all times, by their descendants, at their discretion, free from all molestation by the seller, or any claiming under him. Now, if the latter disturb me in the exercise of my right, and I submit to the disturbance quietly, taking no measures whatever, not only to be compensated for the wrong already done, but for the more certain establishment of my right in future — the *right* is gone; my pusillanimity has emboldened the trespasser, and converted the right into a mere indulgence, at his discretion, and not mine.

We would not make the impression that Congress *intended* to deprive the people of a right, and that they covertly directed their conduct to this end, designing to appropriate it to themselves. Although, it is supposed, they did not intend to do this, it has been done as effectually as if they did. Whilst we would not charge them with such a fraudulent purpose, it is by no means an uncommon consequence of their situation, if they be not carefully watched. Most of us, perhaps a large majority, are actuated by the principle of exalting the class to which we belong, or in which we have the highest interest. From this, and, as it appears to us, from no other cause, can the dishonest action of classes be at all accounted for, or satisfactorily reconciled, with individual honesty, and the almost unbounded control that some callings exercise over the minds of men. Pascal and Tillotson were too pious and sagacious not to discover the many corruptions of the Roman Catholic and Protestant churches, with which they were respectively connected, yet scarcely any two persons have contributed more to their advancement. Most well-educated Englishmen, too, think that monarchy is the best form for a political and social structure; they are in favor of a nobility, who are born legislators; as also of making different orders in society, by law. They are pleased, under any circumstances, to meet with one of sentiments similar to their

own, but still more, if they find him in the midst of republicans. They then think that he is the germ of an order that will before long spring up around him, and that the truth, as they view it, is permanent, and has not, in him at least, been diluted by surrounding falsehood. The republican, on the other hand, thinks that his is the only reasonable political or social organization; and, if we come nearer home, we shall find that the parties into which the country is, for the most part, divided, are equally anxious for the exaltation of themselves at the expense of all who oppose them; and that this exaltation is the more desirable, in proportion as the degradation of their opponents is deep—as they have departed from principles considered true, and as they, themselves, have undivided possession of the field. Thus we may examine all men closely connected with party, and we shall find—however widely they may differ as to the ultimate objects of their respective crafts—that they agree in this, with but rare exceptions, that they desire the exaltation of the class which includes them all, or of the one in which they are most conspicuous, and in which they have the greatest interest.\*

We do not mean to be understood that, in all this time, there was no one in Congress true enough to himself and to the people to sound the alarm. To undervalue the efforts that were made to maintain this right would be unjust, not only to those who were then in Congress—some of them are there still—but to the late John Q. Adams, their able and experienced guide. But their admonitions, given as plainly, as extensively, and as loudly as they well could be, fell on those who could not be aroused by them, or who thought that

---

\* The following anecdote so well illustrates the practical surrender of a right by doing nothing to prevent it, that it ought not to be withheld: "A journeyman tailor, new in the shop where he had just then been employed, took his place with the rest on the counter, saying he had forgotten to bring any wax with him. He politely applied to his next neighbor for the temporary use of his. With similar politeness the wax was handed to him. The next day he again brought none, and, on the wax that he had been permitted to use being out of the way, he asked for *the* wax. The third day, being in want of it, he asked, in rather a rough, uncivil tone, for *his* wax." This may have been the case, substantially, with the right of petition. Congress may have exercised it, at first, thinking that their independent acting would save their constituents a great deal of trouble, and that the people would certainly approve of what they were about to do. The first instance passing without rebuke, the next time they may have been bolder, more confident; till, at last, finding their assumptions unresisted, perhaps unquestioned, that at all events it was but the right of the minority, they now demand *their* wax.



public affairs were in the main sufficiently well-conducted, or that it was not their place to be meddling in such matters.

As we assume that the right of petition, as inserted into the constitution, is a popular right, that has never been transferred, even if it could be, and that there is no limitation to it, only what the petitioners in their discretion may affix, we ought to be prepared to answer all questions that fairly relate to the subject.

We are met at the threshold by several cases that seem, at first sight, to militate against our rule, or to be exceptions to it; but further consideration shows they are not. "What," one is ready to say, "are Congress bound to receive all petitions, even such as are disrespectful and insulting to the body to which they are addressed? and, as we know, words in themselves, may be civil and respectful, but that they may be made to cover a subject offensive to those to whom they are addressed, and that the petitioners may ask Congress to do what they have no authority to do — shall all these, manifestly improper and wrong, be received?" We say, yes. As a sample, let us consider the petition lately presented to the Senate, by Mr. Hale, one of its members, for the dissolution of the Union. With very few exceptions, it seems greatly to have raised the patriotic fervor of the Senators; but had our rule been observed, this sudden outbreak of feeling would have been needless, the people would have been better satisfied, and Congress, never perhaps again would have had a petition for such an object presented to them. We take extreme cases, not only because they are comparatively rare, but because they more completely and prominently test the principle.

One of the first things, perhaps the very first, to be asked is, What ought to be the design of the Senate? Unquestionably it ought to be, probably is, to prevent the repetition of such petitions. It certainly does contribute much to the harmony and unity of a community, and therefore it is quite desirable, that the legislative power, theoretically the servants of the people, should have the confidence, and indeed the love of those who employ them, and who honor them by that employment, and that *they* should feel similar sentiments in return. But to get mad at the petitioners, and call them hard names, does not seem, in the smallest degree, to advance the object we have ascribed to them. Indeed, the tendency is in the opposite way; for the petitioners, entirely apart from their design, may have made it very manifest that the Senate is

composed of material that, for the most part, is incapable of standing a heavy blow. There are but few, if any, who can be angry, and reject the guidance of reason, without doing some foolish thing, if they act at all. But the Senate, to which we now more particularly refer, say, that the excitement of abolition petitions not only pervades the country, but that they feel, among themselves, the leaven strongly at work. We had thought, but it may have been in our simplicity, that the Senators were elected for their good and well-established characters; that, unlike the younger part of the community, they were not surprised into sudden and violent excitements; and that, in them, "the heyday of the blood is tame, is humble, and waits upon the judgment." We had supposed that this was the main reason why, to be eligible, they must be at least six years older than a member of the House. That the Senate observes the forms of civility better than the House, we have no more doubt than that it is a much smaller body, and that it is generally thought, as to dignity, it is somewhat superior to it.\* Considering the members as competent witnesses, the Senate not only exceeds all other bodies in the propriety and thoroughness of its investigations and discussions, but it is the most dignified deliberative assembly anywhere to be found.

This is the theory of the Senate, no matter how much it may have been departed from, or how great may have been the excitement by which it has suffered itself to be borne away.

If the object of the Senate be to put a stop to such petitions, and if the opinions and experience of the writer be of any account, the smoothest and speediest way to success is respectfully to answer such as have been received, and let all that come be received, read, and answered in the same good spirit. Let the Senate show that they are really worthy of the government they help to administer; that they are republicans; that, while they would be just to all men, they have, besides this, a kind feeling towards their countrymen; that the best, but if the word please better, the most conservative tie of society is for the most learned and favored to instruct the most ignorant and uninformed, and that the Senators have too high an opinion of their own true honor, to be ingenious in spying out an insult where none was intended. They ought also to

---

\* [This paper was written before Mr. Foote had proved that the Senate of the United States could exhibit as disgraceful scenes as ever took place in the House. Our contributor wrote only historically, not in a spirit of prophecy. —Ed.]

know that the people, although they may make mistakes in construing a constitution, now more than two generations old, do not mean to insult or offend those who are acting for them. In short, their characters should be so well established, their sincerity so unsuspected, that they would not return the abuse of a ruffian who might think to provoke it by assailing them in public. The people may not be as fastidious as the Senators are in addressing one another, and, certainly, the Senators sometimes carry this quality to a great extent, to one that seems almost incompatible with free deliberation, yet that they are much inclined to respect their agents, especially when they do not use their public stations to promote their private interests.

But, after all, suppose a petition is found to be almost as bad as it appears to be, but that there is some room for considering the insult doubtful, would it not be better for the Senate magnanimously to overlook what might be so interpreted, and treat the petitioners as intending nothing wrong in the way of giving offence? Let the Senate appoint a committee composed of men whose characters are advantageously known to the community; let this committee, as it would do, of course, deal with the petitioners (for a dissolution of the Union, we will suppose,) respectfully; for Americans, right or wrong, if we wish to win their confidence, must be treated respectfully, and not like slaves; let this committee answer the petition by sound, reliable arguments, by arguments proving that what it sought for was impolitic, unreasonable, and out of their power to grant, and show why it was so; and let this committee not forget also to show that, as governments were made to be perpetual, they make no provision for their dissolution. If, we say again, this petition had been so treated, probably another one for the same object would never again have been presented. At all events, there would have been a good opportunity of giving to the country some wholesome truths, which it may begin to need; the Senate would have been saved a great deal of ill-feeling, of unbecoming language, of self-disrespect; the mass of the people would have been gratified, and the petitioners themselves, in all probability, would have looked on their petition as weak and indefensible. But the opportunity of doing or of abstaining from doing the things just mentioned, is lost. If the Senate desired to do what would most effectually bring good people to compare the benefits of the Union with its disadvantages, they

have done it. They have also convinced many that, as a body, *they* are not what they were thought to be; that they are excitable, quick to do wrong, but slow to do right.

But, suppose the intention to insult Congress be so palpable that it cannot be mistaken, and that all the measures we have recommended fail; or, that Congress, thinking differently from us, and that ours is too inefficient a way to obtain their end — or that, in such cases, a little *spunk* ought to be shown, as a cur sometimes snarls at his master — what, then, is to be done? Receive and read them, by all means, unless they be in the unknown tongue, or contain a farrago of nonsense. If they should not be read, and reading implies reception, it will not be known what is in them. It would be vain, now, to trust to what a Senator might say of them; for, if he did not like them, he might say they were disrespectful, that they ought not, on that account, to be received; or he might even go as far as Senator Sturgeon went, send them back, unrepresented, to the petitioners. Senator Sturgeon's mode, one which was very highly commended by several of the senatorial speakers, is certainly a very effectual one, one that deserves a patent right, if any does, for relieving himself and the Senate from petitions which they do not like, and for finally putting down the right of petition altogether. Quite a happy conceit this of Senator Sturgeon's, to say nothing of its pleasantness!

If any new truth should be found in the petitions, let it be added to our stock; for there are times, probably, in all men's lives, when they care but little about the quarter whence truth comes. It has almost become a proverb, that nothing forbids us from telling the truth laughing, nor do we see why it should not be told in a different frame of mind. If, then, after reading the petitions, nothing be found in them but well-known and familiar truths, mixed up with much falsehood, lay them on the table, or consign them to the proper committee, who, of course, will not answer them. The design of the petitioners, then, now quite apparent, is not to have a grievance redressed, but to offer an insult. They use the outside form of a good thing, but they put a bad purpose within, a box which ordinarily contains a jewel, but now some loathsome carcass. This was not so intended. The people never once supposed that any persons would wish to affront, in the discharge of their duties, those who represent them; and they all, with the exception of the petitioners, of course, may properly be considered

as joining in a counter petition. One is obliged to receive good coin, because it is a lawful tender in discharge of a debt ; but good coin may be so badly imitated, and what is offered so obviously spurious, that we risk nothing in refusing it.

We have insisted, and we still do, that, in every case, it should be made as certain as it can be, that an affront, or insult, was intended. Our remarks here have a more special reference to one covered up under smooth and deceitful words. If an insult was intended, it should be of the Senate as a whole, and not a part of it only — for this part may be concerned, and deeply concerned, in the grievance sought to be redressed. For instance, how can slavery be removed, and why should the people of the Free States be disturbed by it, unless they be permitted to show that to enslave men is a sin ; that sin is a reproach to any people ; that slavery is a contradiction of our declarations, often repeated, and still persisted in ; that it is inherently base and unjust, and that it is in violation of the laws of God, to which we all owe obedience. To do this, would certainly be no affront to the Senate, however unpalatable it be to some of those Senators who are engaged in making their fellow-creatures work for nothing, in putting a stop to the improvement and growth of those noble faculties with which our common Father has endowed his family, and who think a public good can always be made to flow from individual wrong. What is untrue can be easily overthrown, and falsehood can be fully exposed where reason is left free to combat it. So far from giving offence, if the prayer of the petition be true, it ought to be welcomed ; for what is so dear as knowledge which removes but a single obstacle to eternal life, and all knowledge can be made to contribute to this end — as that knowledge which makes immortality even a little clearer to us ? If the rule insisted on in the Senate prevail, all that a Senator has to do — and only to *suppose* such a thing of a Senator, when one of their own number speaks of their “ corruption, intrigue, and low management,” cannot be much out of place — is, to implicate himself in some grievance sought to be redressed. The petition, to be sure, would not be very palatable to him ; very likely, he would call it “ disrespectful,” and it would be cast aside of course.

Nor ought it ever to be forgotten, that this right was secured to the *minority*. This consideration, it might be supposed, would make a just Congress more ready to acknowledge

the right, and more careful how they encroached on it ; but it seems to have had a contrary effect. No one, who is strictly honest, knows when he may be in the minority, though he may have been a long time on the other side. The subject of almost every petition, perhaps of all, must at first be a petition of the minority ; consequently, not popular ; for those that are popular will be legislated on without any petition. The subject of the petition — now submitted to the intelligence and impartiality of the legislature, to whom the “general welfare” of the country has been entrusted — if reasonable, and beyond doubt well fitted to advance the nation on its march toward improvement and civilization, and provided there be nothing in the way, ought, at once, to be granted. But, suppose Congress do not think so well of it as I have said, but yet think favorably ; a report from such a body, setting forth its excellences and defects, would be more widely circulated and have greater influence than any other notice. Thus a petition, although it be not granted at the time, may be made the means of publication on a large scale ; and, by bringing in other minds to bear on the same subject, error may be removed, and it be made to contribute, most usefully, to the interests of the country. The benefits of steam-power and the cotton-gin we believe are unquestioned ; but who supposes they would have attained even their present state, or would ever go beyond it, if the public mind, or those at all inclined that way, had not been and were not still employed on those discoveries ?

Take another example — the better, because it is new and just before us : Suppose Mr. Clay’s “ compromise resolutions,” as they are called, were thought in the Senate, under whose consideration they now are, to be so completely adapted to the object designed that they would pass that body with great unanimity. But suppose there are other persons, whose perceptions of moral subjects are clearer and much more distinct than Mr. Clay’s, and that they are fully persuaded that the slaves are human beings ; that they are members of God’s family on earth, and that when we enslave them we enslave our brethren ; that one part of the human family were not born to be the slaves, the articles of merchandise of another part ; but that they are entitled, equally with others, to the use of their powers, of every kind. Suppose that these persons think that the holding of slaves, as they are now held, is often for the brutal gratification of furious passions ; that it is *always* an instance of the rankest oppression ; so rank, indeed,

that, according to the prevailing notion of the whites, it would justify them in any attempt which they might make for their liberty, nay, render it imperative on them; and that slavery, especially in a country professing to be the freest in the world, is a grievance that ought at once to be redressed and removed. Suppose that these persons also believe that, in all countries where mind is unclogged, as it is, for the most part, in the Free States, advances, both moral and physical, towards improvement and civilization are made with a rapidity proportioned to its freeness; and that the real question now is, Shall those States be hindered in their upward progress, as they heretofore have been, by dragging slavery along with them — for where slavery is, mind, except on a few subjects, and they generally connected by the slaveholders with the enslavement of their fellow-creatures, is comparatively inactive — or shall they put it out of the way? Suppose these men should think that the present state of things is, in a great measure, to be ascribed to the fact that the body or mass of the people occupy a more elevated moral position than they ever did before; but that, with their more rapid and higher advancement, slavery is incompatible; that they wish to undeceive the slaveholders, because they are their brethren, and warn them to prepare for the going-out of their “system;” for it will be in vain for them to look for the present agitation to cease, whilst slavery lasts, and as long as there are persons who fear God more than man. Suppose, too, they further think that, to compromise a moral question, however it may suit active political partisans, who never had any thing to do in the matter, with *such* persons, and in this country, is utterly out of the power of any man, however great his gifts, or however experienced he may be in compromises. And suppose they should think it as bad in Mr. Clay as an attempt to make us all of one religious belief — and that he might as well try to make us all Roman Catholics or Protestants, as to persuade us to hate slavery less than we do now; as a thing contrary to our national professions, to the spirit of a free government, to nature, to right, and, of course, to the laws of God?\*

---

\* The attempt to establish Episcopacy in Scotland was made by Charles the Second, under very favorable circumstances. The Court had great influence, and Charles made a bishop of Leighton, who was educated at Edinburgh, and was one of the most persuasive and eloquent of the Presbyterian divines. But the unsuccessful issue of the attempt, under such circumstances, and when greater weight too was attached to forms than now is — for we want something more substantial than *forms* — ought to deter any one from a similar attempt in this country and at this time.

The writer is not aware that these, or any such sentiments, have, at any time, been uttered in the Senate; but he thinks human ingenuity could not contrive a wiser plan for giving them an extensive circulation, than by embodying them in a petition, and having it read there. The Senators could hear them — through them, the slaveholders would know them — and some, who had not yet invested their means, might learn that, to claim property in MAN, is a “guilty phantasy,” that cannot be undisturbed, among a people advancing in civilization and Christianity.\*

In the foregoing remarks we have endeavored to prove that the right of petition is secured as a *popular* right to the minority, whoever may compose it; that it has been encroached on by Congress, till, at length, it is openly denied and taken away from the people; and to give reasons why it should be at once again resumed. It remains for us to show more minutely than we have yet done, and we promise to do it as concisely as we can, from the speeches delivered in the Senate, what a weak and mistaken view they have of this right in that body.

From our remark we would except the very small minority, Messrs. Chase, Hale, and Seward, the only Senators who voted for the reception of the petition deemed so obnoxious. These gentlemen did not vote thus because their regard for the Union was less than that of other Senators who took this opportunity of sounding their own patriotism very loudly, but because they understood the matter, and wished to preserve the right, so far as they could, for those to whom it belonged. But, notwithstanding Mr. Seward’s excellent speech against the extension of slavery, a speech which we will not attempt to characterize, lest we use too laudatory terms, we yet have to make a complaint against him for calling the petitioners “madmen.” The word “madmen” does not even insinuate

---

\* Slaveholding is discussed in the Senate, not as a moral question, but purely as a political one. It is maintained that a territory about to become a State, or that a State already such, has, at any time, a right to enslave part of the people who are now in it, or who may come into it; that there is no more moral character attached to the act of enslaving our fellow-man, than there is to the act of an individual who removes a chair from one side of a room to the other, as may best suit his taste or convenience. But we apprehend, when we feel more intensely the calamities which never fail to attend slavery, and which thicken as it grows older, its moral character will be completely vindicated. We shall then learn, too, though perhaps too late, how unphilosophical, how unwise it is to violate any of God’s laws with regard to the treatment of any of his children, our fellow-creatures, and not expect their vindication.



an argument to the reason, or an appeal to any of the juster and nobler feelings. Its tendency, indeed, is to inflame. It was gently rebuked by Mr. Chase, so was Mr. Sturgeon's application of "black-hearted," to abolitionists; though Mr. Chase may have been thought mainly to refer to Senator Douglass, of Illinois, from whom we do not look for things as favorable to liberty as we do from Mr. Seward.

The love of the Union by the petitioners ought not to be so much measured by the petition, as their dislike of slavery. They may love the Union very much, so the slaveholders say they do; but, whatever they may say about State degradation, inequality, &c., &c., they love slavery, power, absolute power over their fellow-men, more than they love the Union. If they can use the Union for the continuance and protection, including the propagation of slavery, they will love it; but their love for the Union will be inferior to their love of slavery, inasmuch as the thing protected stands higher in their esteem than the mere means of protection. The petitioners—let it be admitted for argument sake—dislike slavery more than they love the Union; so much so, indeed, that, sooner than give up their dislike, they stand ready to give up the Union. The slaveholders say that, so great is their love for slavery, sooner than give it up, they are ready to give up the Union. One wishes to use the Union for the destruction of slavery, the other for its protection. The only real difference then is, that one party dislikes slavery, and the opposite party loves it, and that the dislike and love of the same object is stronger than their love of the Union. The marvel, then, is, that the advocates of liberty for *all*, should be called fanatics and enemies of the Union, whilst the slaveholders and perpetrators of oppression are denominated its friends and supporters. Our readers can well judge which of the two is the more reasonable, and to be preferred.\*

But let us take a view of this question from another point: Suppose the petitioners, believing to be true what they had heard from the slaveholding Senators and others, that the Union was now virtually dissolved, but not believing with Gen-

---

\*The debate referred to above, shows how little attention our Senators had given to the matter in hand, and how little they understood it; for Mr. Douglass, certainly not the least learned of these learned gentlemen, says: "It is time we begin to investigate this question of the right of petition." It would have been well, too, if they had *finished* their investigations before they acted.

eral Cass—or, at least, with the same confidence that he does—when he says that he who thinks the Union can be dissolved without bloodshed is already “in an insane hospital, or ought to be placed there,” but that war may be averted by prudent counsels, are they not rather to be commended than condemned for wishing to bring about a *formal* dissolution “*peaceably?*”<sup>\*</sup> It seems to us they are, and that they are nearer right than General Cass, who, being a military man, thinks nothing can be well settled without fighting about it.

We will not go over the line that separates us to fight *them*, and they *can not* come over it to fight us. And, if we should be so foolish as to fight at all, what should we fight about? The slaveholders wish to use the government for the advancement of slavery; the Free States, of liberty. They could not have things their own way, and therefore they have gone from us. This is all we see to fight about, General Cass to the contrary, notwithstanding.

We will not say that cause of quarrel may not be found by the slaveholders; for they will always complain, even when they get the lion's share, in any division of property or power that might take place; though we see none in the bare fact of dissolution, which, we trust, if it ever come, will be entirely voluntary, on the part of the Free States. But in any event, notwithstanding the “bloodshed and conflagration,” scented by General Cass as closely following dissolution, the conquest of the slaveholders—for all who were not slaveholders would abandon them—would be an easy matter to the Free States. If the latter wished to raise an army, one of the most formidable kind, accustomed, too, to the climate, could easily be raised.

If the Union is always to bring on us such slaveholding rule as we have had, almost without intermission, for the last fifty years; if the Union is for confirming, promoting, and extending slavery, at the expense of liberty, we say, so far as we are concerned, let it disappear, it does not deserve to be upheld by any honest and just man, and the sooner it is dis-

---

<sup>\*</sup> Allowing full faith to the evidence of Senators, the country, so far as regards the Union, was never more stable;—so much so, indeed, that, if we may be permitted to compare such things with natural objects, the rock of Gibraltar is not more so. How ludicrous, then, must any one appear, who is always going about, stripped as it were to the buff, and warning others that, although they might fasten the heaviest weights to the rock, they must not, at any time, take it away with them, for that he has constituted himself the special guardian of it, to see that it is always in its right place.

solved and forgotten the better. We would run the risk of making another constitution, from which slavery would certainly be excluded, rather than use the present one, managed as it is. In fine, we would place ourselves in the category of Mr. Seward's "madmen."

The first and most direct assault on the right of petition — at least, the first we shall notice, and, perhaps, the very first — was made in the House, in 1836, by Pinckney's resolutions. Several others, having the same end in view, the exclusion of all petitions in the slightest manner relating to slavery, were made before December, 1845, when, on the motion of John Quincy Adams, who, from the first, was openly, indeed, vehemently opposed to any infringement of this right, every obstacle to its fullest exercise was removed.

The direct attempt on this right contained in Mr. Calhoun's notorious bill for authorizing post-masters to prevent incendiary or anti-slavery publications being sent to the South by mail, failed in the Senate, but the indirect mode by which petitions were kept from being read was quite effectual. We have the account of it confirmed by Senator Dayton, from New Jersey, for the seven years he had been in the Senate, from Mr. Douglass, in these words: "I had understood it to be the uniform practice of the Senate, for the last twenty years, as long as the agitation of slavery had prevailed on the floor of Congress, to lay the motion to receive petitions on the subject on the table," — amounting, as Mr. Seward tells us, to "a virtual rejection." Mr. Douglass further says: "Understanding this to be the uniform practice of the Senate, I have adhered to and acquiesced in the practice in the votes which I have given. I am not aware of one instance, in which a petition relating to the slavery agitation coming from the North has been received."\*

Here, for twelve or fourteen years, the Senate, by its practice, "its uniform practice," had trampled on a constitutional right which the people had secured to a minority, on *one* subject, — and that subject, no matter how disparagingly the slaveholders, or their "natural allies," both Whig and Democratic, at the North, may speak of it, certainly the most important question of the times, as the adjudication of human

---

\* Mr. Douglass wished to apply the same rule of exclusion to all petitions relating to slavery, whether they were from the North or South.

rights must ever be. We wish to present this so clearly that we may not have to ask Mr. Douglass's opinion, as a lawyer, accustomed to examine and unravel intricate subjects, but only to appeal to his common sense. Suppose the Senate had thought proper to institute a practice, we care but little how "uniform" it was, of refusing to receive all petitions except such as were agreeable to them: would not the right of petition have then been taken away from the people? And yet we see not why, with the same propriety, they might not have interdicted all, as to have interdicted two classes of them, the petitions relating to slavery, and those relating to a dissolution of the Union.

Mr. Douglass finally voted for not receiving the petition about which he had been talking. But as he gives the reasons, we will insert them in his own words:—

"But, sir, there seems to be a sentiment prevailing among many, that all petitions are to be received here, and the prayer considered, and that the refusal to do it is a violation of the right of petition. I recognize the right of the people to petition to the fullest extent. I have given no vote that invades or restrains the doctrine of the right of every citizen to petition. I hold, however, that the right of petition only extends so far as the right exists to grant the prayer of the petitioner. If every man has the right to petition on every subject, he must direct to that tribunal which has competent jurisdiction over the subject.

"But I will not go into a discussion of that branch of the subject. I hold further, that, under the constitution, the Senate has the right to dispose of all petitions in such manner as the Senate deem proper. The constitution provides, that we shall prescribe our own 'rules of proceeding;' and, sir, it is as competent to reject the prayer of the petition, on a motion to lay the question of reception on the table, as it is to vote down a bill before the Senate containing the prayer of the petition. It is only a question of expediency and propriety, how far we shall proceed in the different steps of legislation on petitions which shall be presented; and I am free to say, there are certain petitions which I am not willing to take up the time of the Senate in voting to receive, lay on the table, and refer to a committee; and of all the petitions that could be desired, the petition before us is one of that character. It is no less, sir, than a petition to dissolve the American Union. Sir, is this Senate under obligations to receive with respect, and consider propositions to dissolve the American Union? I hold not, sir: first, we have no power, under the constitution, to grant the prayer of the petition; secondly, if we had the power, it is moral

treason to give countenance and encouragement to the prayer of such a petition. For one, sir, I am utterly opposed to its reception. There is no right in the doctrine of petition that will authorize the citizens of this Republic, or any portion of them who are reckless enough to do so, to ask us to receive and hear the prayer of petitions for the dissolution of the American Union. I am glad we are to have a test question on this subject, to test whether all petitions, of every kind and description that madmen may choose to send to us, are to be received and acted upon by the Senate. I shall vote against the reception of petitions, not only upon this subject, but in relation to that whole class of subjects, the tendencies of which are to weaken the bonds of the American Union, or to result in its ultimate dissolution.

"Here, sir, you have the question directly presented, whether you will receive the petition to dissolve the Union. Upon the slavery question, this matter only comes up in its tendencies. Every man sees that this slavery agitation has but one tendency, and that tendency is to sever the Union forever. I shall vote against the reception of this petition to dissolve the Union, and I think the Senate ought to adhere to the good old practice of laying upon the table every petition, the direct and inevitable tendency of which is to lead us to the same result only by slower and more indirect steps."

One does not often see more errors crowded into a passage of the same length. There is but a single statement that will be likely to secure general acquiescence — universal, we were about to say — if the proper course had been taken with the petitioners; and this is, that the Senate have no more constitutional power to dissolve the Union than any other similar number of men. If we deal with the position of Mr. Douglass more at length than we otherwise would, and at the risk of being thought somewhat tautological, it will be mainly because his lead has been followed by his senatorial brethren; so that an answer to him will be also an answer to them.

Nor do we often see a more remarkable instance of self-delusion; for we are unable to perceive how, after the *fanfaronade* delivered by the senator — indeed, we may say senators — he could have thought (though we suppose that he did not *think* much about it) that he recognized, to the fullest extent, the right of the people to petition; or that he had given no vote, when he had just told us that he had conformed to the "uniform practice" of the Senate, which invaded or restrained the doctrine of the right of every citizen to petition.

But Mr. Douglass, as it will be seen, is formal enough to throw his objections to a dissolution of the Union under two heads. When he says that the Senate have no power to grant the prayer of the petition,—with all due deference to the understanding of Mr. Douglass, who, no doubt, intended to make his remarks as decisively unfavorable to the petitioners as he could,—he has furnished us with an indisputable reason why they should be answered. It is by no means a violent presumption, but a sensible one; one by which a wise man ought always to be guided, that the petitioners would not ask the Senate to do what they knew the Senate had no power to do. To suppose our race honest and true, if we have no counter evidence, is certainly the best way to deal with them; for we can form some pretty correct notions how far honesty will go, and what direction it will take, while we can form none of how far knavery will go, or what direction it will take. Now, if the Senators had entertained toward their fellow-citizens that feeling, which is apt to make more intense the presumption referred to, they would have thought that the petitioners believed that what was said by some of the slaveholding members of Congress was true, that the Union was already virtually dissolved, and that they desired, as men ought, that the formal dissolution be unaccompanied with “bloodshed and conflagration,” and be “peaceable.” If any thing could have much flattered the Senate, it seems to me this would, that any number of their fellow-citizens had such confidence in them, that they supposed this unheard-of power had been entrusted to them! Now what could have been easier for the Senate than to have appointed a committee, who would have informed the petitioners, even if their object had been dissolution, how undesirable, nay, how impossible it was, and that there was no power in existence to accomplish their wishes!

The second proposition is, and in it many Senators concurred, that the Senate are exhorted to commit moral treason (an offence unknown to the laws) to destroy itself, to destroy the sovereign power, to set the constitution and their oath to support it at defiance, to commit perjury, &c., &c. General Cass goes farther still; he is for not even mentioning the word dissolution. He says:—

“I had occasion some time since, and under much less imposing circumstances than the present, to say we ought to have one unpronounceable word, as the Jews had, of old, and that word

'dissolution.' I repeat the sentiment, and with stronger conviction than ever of its truth and importance." \*

To the first part of the proposition it may be said, that the Senate is not exhorted to do any act bad or immoral in itself. Very true; its powers seem to be misconstrued; but it is not exhorted to destroy the sovereign power, that, by the acknowledgment of all, resides in the people; nor to commit moral treason, nor perjury, nor any crime or offence whatever. The petitioners ask them to do a particular thing, which they have no power, as Senators, to do. How easy, then, would it have been for the Senate—instead of getting mad, and pouring forth many unnecessary "grandiloquent patriotic outbursts"—to give this to the petitioners, as the reason why they could not do it. They might have added reasons why dissolution should not take place at all. The petitioners themselves would probably have been satisfied with them, and, even if they were not, others would.

---

\* The *value* of the Union, its advantages over its disadvantages, neither so well understood in 1787 as now, led to it. We see no harm, but on the contrary benefit, resulting from a calculation of its value in the most comprehensive sense. The testimony, with the exception of the slaveholders, so far as we have seen it, is favorable. Indeed, Senator Cooper says Pennsylvania "knows the value of it." To dwell on the value of the Union, especially when the witnesses ascribe the blessings we enjoy to the Union, appears to us, so far from weakening, to strengthen it. Even General Cass seems to think as we do, judging from a speech he delivered in the Senate, March 14. "The more our institutions are investigated, the stronger will they become in the hearts of the people, who will continue to love the government which has given them a greater measure of prosperity than any other people ever enjoyed, and will support and defend it against all assaults." That the slaveholders should want to be out of it, as we trust things now are among the people, does not at all surprise us, for liberty, to all guiltless persons out of the "original" States, ought always to form some part, and a large part, of the value of the Union. Nor are we surprised at their wishing to carry with them the Southern States, and the non-slaveholders, a large majority, of the South. It is not intended to say, that the slaveholders, many of whom are very ignorant and easy to be imposed on, may not be influenced to a certain point by sectional feeling, by the cry of State rights, &c., &c.; but, when they see that they are to compose the rank and file of the armies which the gentlemen slaveholders are to command, and to risk their lives for slavery, and against those whom they most resemble, their ignorance excepted, and who wish to abolish a system, the cause of the depression of the whites, who, as non-slaveholders, live in the midst of it, they will recoil and regard the upholder of slavery as their most unchangeable foe. They will not only abandon him, and let him do his own fighting, but also persuade his slaves to leave him. Heretofore, they have felt some interest in slavery; for, besides being thought profitable, it introduced them into the higher ranks of society. Now they will see that they never can have any personal interest in it, that it is a waning system, just going out; for I consider it as certain as human things can be, that, if we dissolve, slavery goes out, and they, in all likelihood, will assist in putting it out.

As to General Cass's notion, that "dissolution" should be an "unpronounceable" word, as one was among the Jews, it deserves attention, not so much as proceeding from him, for the Senate have often heard things from him equally silly, but as being applauded by Mr. Webster, who has been considered, *par excellence*, as the great "expounder of the constitution." We differ altogether from General Cass. To have one word "unpronounceable" (unpronounced) among us, with our present intelligence and refinement, would be impracticable. What might have been done thousands of years ago among the Jews, a rude and unpolished people, can not be done now and in this country. If it should be considered impracticable, there is an end of the question. But, admitting that it were practicable, would it be a wise measure, and make the Union any stronger? We think not; for if it be wished to pronounce a word or sentiment now, let it be pronounceable. We can not tell whether any public matter is right or wrong, till it is inquired into and talked about. Indeed, our constitution says that the "freedom of speech" shall not be "abridged." The people of this country look on any matter suspiciously, unless it be a private one, that cannot be given to the winds. We talk so much that we have been called, perhaps not inaptly, a Logocracy. Notwithstanding this, and that everything, even our government, is managed by talk, is the name of Jehovah, probably the name alluded to by General Cass, less intelligently revered among us, than it was among the Jews? That they had good rulers, occasionally, is not disputed, but that they were in the main as much given to vice as the surrounding nations their whole history, particularly in later times, when it is better known to us, fully proves. But we will take another illustration, and it may be regarded as more complete, because we understand it better: The Roman Catholics prohibit the use of the Bible as a school-book, on the ground that too great familiarity with it, especially by the young, breeds contempt. The Protestants, on the other hand, wish to introduce it, denying what the Catholics say would be the effect of using it in common. They think that the stores of wisdom to be found in it can not be too well known, particularly in early life, and that its influence would be a happy one on all concerned. Now we would ask General Cass if the Bible, so common among the Protestants that it can be read by them at pleasure, so common that no one book is more so, is less esteemed among them than it is among the Catholics, with whom it is



that, according to the prevailing notion of the whites, it would justify them in any attempt which they might make for their liberty, nay, render it imperative on them; and that slavery, especially in a country professing to be the freest in the world, is a grievance that ought at once to be redressed and removed. Suppose that these persons also believe that, in all countries where mind is unclogged, as it is, for the most part, in the Free States, advances, both moral and physical, towards improvement and civilization are made with a rapidity proportioned to its freeness; and that the real question now is, Shall those States be hindered in their upward progress, as they heretofore have been, by dragging slavery along with them — for where slavery is, mind, except on a few subjects, and they generally connected by the slaveholders with the enslavement of their fellow-creatures, is comparatively inactive — or shall they put it out of the way? Suppose these men should think that the present state of things is, in a great measure, to be ascribed to the fact that the body or mass of the people occupy a more elevated moral position than they ever did before; but that, with their more rapid and higher advancement, slavery is incompatible; that they wish to undeceive the slaveholders, because they are their brethren, and warn them to prepare for the going-out of their “system;” for it will be in vain for them to look for the present agitation to cease, whilst slavery lasts, and as long as there are persons who fear God more than man. Suppose, too, they further think that, to compromise a moral question, however it may suit active political partisans, who never had any thing to do in the matter, with *such* persons, and in this country, is utterly out of the power of any man, however great his gifts, or however experienced he may be in compromises. And suppose they should think it as bad in Mr. Clay as an attempt to make us all of one religious belief — and that he might as well try to make us all Roman Catholics or Protestants, as to persuade us to hate slavery less than we do now; as a thing contrary to our national professions, to the spirit of a free government, to nature, to right, and, of course, to the laws of God?\*

---

\* The attempt to establish Episcopacy in Scotland was made by Charles the Second, under very favorable circumstances. The Court had great influence, and Charles made a bishop of Leighton, who was educated at Edinburgh, and was one of the most persuasive and eloquent of the Presbyterian divines. But the unsuccessful issue of the attempt, under such circumstances, and when greater weight too was attached to forms than now is — for we want something more substantial than *forms* — ought to deter any one from a similar attempt in this country and at this time.

The writer is not aware that these, or any such sentiments, have, at any time, been uttered in the Senate; but he thinks human ingenuity could not contrive a wiser plan for giving them an extensive circulation, than by embodying them in a petition, and having it read there. The Senators could hear them — through them, the slaveholders would know them — and some, who had not yet invested their means, might learn that, to claim property in MAN, is a “guilty phantasy,” that cannot be undisturbed, among a people advancing in civilization and Christianity.\*

In the foregoing remarks we have endeavored to prove that the right of petition is secured as a *popular* right to the minority, whoever may compose it; that it has been encroached on by Congress, till, at length, it is openly denied and taken away from the people; and to give reasons why it should be at once again resumed. It remains for us to show more minutely than we have yet done, and we promise to do it as concisely as we can, from the speeches delivered in the Senate, what a weak and mistaken view they have of this right in that body.

From our remark we would except the very small minority, Messrs. Chase, Hale, and Seward, the only Senators who voted for the reception of the petition deemed so obnoxious. These gentlemen did not vote thus because their regard for the Union was less than that of other Senators who took this opportunity of sounding their own patriotism very loudly, but because they understood the matter, and wished to preserve the right, so far as they could, for those to whom it belonged. But, notwithstanding Mr. Seward's excellent speech against the extension of slavery, a speech which we will not attempt to characterize, lest we use too laudatory terms, we yet have to make a complaint against him for calling the petitioners “madmen.” The word “madmen” does not even insinuate

---

\* Slaveholding is discussed in the Senate, not as a moral question, but purely as a political one. It is maintained that a territory about to become a *State*, or that a *State* already such, has, at any time, a right to enslave part of the people who are now in it, or who may come into it; that there is no more moral character attached to the act of enslaving our fellow-man, than there is to the act of an individual who removes a chair from one side of a room to the other, as may best suit his taste or convenience. But we apprehend, when we feel more intensely the calamities which never fail to attend slavery, and which thicken as it grows older, its moral character will be completely vindicated. We shall then learn, too, though perhaps too late, how unphilosophical, how unwise it is to violate any of God's laws with regard to the treatment of any of his children, our fellow-creatures, and not expect their vindication.

that, according to the prevailing notion of the whites, it would justify them in any attempt which they might make for their liberty, nay, render it imperative on them; and that slavery, especially in a country professing to be the freest in the world, is a grievance that ought at once to be redressed and removed. Suppose that these persons also believe that, in all countries where mind is unclogged, as it is, for the most part, in the Free States, advances, both moral and physical, towards improvement and civilization are made with a rapidity proportioned to its freeness; and that the real question now is, Shall those States be hindered in their upward progress, as they heretofore have been, by dragging slavery along with them — for where slavery is, mind, except on a few subjects, and they generally connected by the slaveholders with the enslavement of their fellow-creatures, is comparatively inactive — or shall they put it out of the way? Suppose these men should think that the present state of things is, in a great measure, to be ascribed to the fact that the body or mass of the people occupy a more elevated moral position than they ever did before; but that, with their more rapid and higher advancement, slavery is incompatible; that they wish to undeceive the slaveholders, because they are their brethren, and warn them to prepare for the going-out of their “system;” for it will be in vain for them to look for the present agitation to cease, whilst slavery lasts, and as long as there are persons who fear God more than man. Suppose, too, they further think that, to compromise a moral question, however it may suit active political partisans, who never had any thing to do in the matter, with *such* persons, and in this country, is utterly out of the power of any man, however great his gifts, or however experienced he may be in compromises. And suppose they should think it as bad in Mr. Clay as an attempt to make us all of one religious belief — and that he might as well try to make us all Roman Catholics or Protestants, as to persuade us to hate slavery less than we do now; as a thing contrary to our national professions, to the spirit of a free government, to nature, to right, and, of course, to the laws of God?”

---

\* The attempt to establish Episcopacy in Scotland was made by Charles the Second, under very favorable circumstances. The Court had great influence, and Charles made a bishop of Leighton, who was educated at Edinburgh, and was one of the most persuasive and eloquent of the Presbyterian divines. But the unsuccessful issue of the attempt, under such circumstances, and when greater weight too was attached to forms than now is — for we want something more substantial than *forms* — ought to deter any one from a similar attempt in this country and at this time.

The writer is not aware that these, or any such sentiments, have, at any time, been uttered in the Senate; but he thinks human ingenuity could not contrive a wiser plan for giving them an extensive circulation, than by embodying them in a petition, and having it read there. The Senators could hear them — through them, the slaveholders would know them — and some, who had not yet invested their means, might learn that, to claim property in MAN, is a “guilty phantasy,” that cannot be undisturbed, among a people advancing in civilization and Christianity.\*

In the foregoing remarks we have endeavored to prove that the right of petition is secured as a *popular* right to the minority, whoever may compose it; that it has been encroached on by Congress, till, at length, it is openly denied and taken away from the people; and to give reasons why it should be at once again resumed. It remains for us to show more minutely than we have yet done, and we promise to do it as concisely as we can, from the speeches delivered in the Senate, what a weak and mistaken view they have of this right in that body.

From our remark we would except the very small minority, Messrs. Chase, Hale, and Seward, the only Senators who voted for the reception of the petition deemed so obnoxious. These gentlemen did not vote thus because their regard for the Union was less than that of other Senators who took this opportunity of sounding their own patriotism very loudly, but because they understood the matter, and wished to preserve the right, so far as they could, for those to whom it belonged. But, notwithstanding Mr. Seward's excellent speech against the extension of slavery, a speech which we will not attempt to characterize, lest we use too laudatory terms, we yet have to make a complaint against him for calling the petitioners “madmen.” The word “madmen” does not even insinuate

---

\* Slaveholding is discussed in the Senate, not as a moral question, but purely as a political one. It is maintained that a territory about to become a State, or that a State already such, has, at any time, a right to enslave part of the people who are now in it, or who may come into it; that there is no more moral character attached to the act of enslaving our fellow-man, than there is to the act of an individual who removes a chair from one side of a room to the other, as may best suit his taste or convenience. But we apprehend, when we feel more intensely the calamities which never fail to attend slavery, and which thicken as it grows older, its moral character will be completely vindicated. We shall then learn, too, though perhaps too late, how unphilosophical, how unwise it is to violate any of God's laws with regard to the treatment of any of his children, our fellow-creatures, and not expect their vindication.

that, according to the prevailing notion of the whites, it would justify them in any attempt which they might make for their liberty, nay, render it imperative on them; and that slavery, especially in a country professing to be the freest in the world, is a grievance that ought at once to be redressed and removed. Suppose that these persons also believe that, in all countries where mind is unclogged, as it is, for the most part, in the Free States, advances, both moral and physical, towards improvement and civilization are made with a rapidity proportioned to its freeness; and that the real question now is, Shall those States be hindered in their upward progress, as they heretofore have been, by dragging slavery along with them — for where slavery is, mind, except on a few subjects, and they generally connected by the slaveholders with the enslavement of their fellow-creatures, is comparatively inactive — or shall they put it out of the way? Suppose these men should think that the present state of things is, in a great measure, to be ascribed to the fact that the body or mass of the people occupy a more elevated moral position than they ever did before; but that, with their more rapid and higher advancement, slavery is incompatible; that they wish to undeceive the slaveholders, because they are their brethren, and warn them to prepare for the going-out of their “system;” for it will be in vain for them to look for the present agitation to cease, whilst slavery lasts, and as long as there are persons who fear God more than man. Suppose, too, they further think that, to compromise a moral question, however it may suit active political partisans, who never had any thing to do in the matter, with *such* persons, and in this country, is utterly out of the power of any man, however great his gifts, or however experienced he may be in compromises. And suppose they should think it as bad in Mr. Clay as an attempt to make us all of one religious belief — and that he might as well try to make us all Roman Catholics or Protestants, as to persuade us to hate slavery less than we do now; as a thing contrary to our national professions, to the spirit of a free government, to nature, to right, and, of course, to the laws of God?\*

---

\* The attempt to establish Episcopacy in Scotland was made by Charles the Second, under very favorable circumstances. The Court had great influence, and Charles made a bishop of Leighton, who was educated at Edinburgh, and was one of the most persuasive and eloquent of the Presbyterian divines. But the unsuccessful issue of the attempt, under such circumstances, and when greater weight too was attached to forms than now is — for we want something more substantial than *forms* — ought to deter any one from a similar attempt in this country and at this time.

The writer is not aware that these, or any such sentiments, have, at any time, been uttered in the Senate; but he thinks human ingenuity could not contrive a wiser plan for giving them an extensive circulation, than by embodying them in a petition, and having it read there. The Senators could hear them — through them, the slaveholders would know them — and some, who had not yet invested their means, might learn that, to claim property in MAN, is a "guilty phantasy," that cannot be undisturbed, among a people advancing in civilization and Christianity.\*

In the foregoing remarks we have endeavored to prove that the right of petition is secured as a *popular* right to the minority, whoever may compose it; that it has been encroached on by Congress, till, at length, it is openly denied and taken away from the people; and to give reasons why it should be at once again resumed. It remains for us to show more minutely than we have yet done, and we promise to do it as concisely as we can, from the speeches delivered in the Senate, what a weak and mistaken view they have of this right in that body.

From our remark we would except the very small minority, Messrs. Chase, Hale, and Seward, the only Senators who voted for the reception of the petition deemed so obnoxious. These gentlemen did not vote thus because their regard for the Union was less than that of other Senators who took this opportunity of sounding their own patriotism very loudly, but because they understood the matter, and wished to preserve the right, so far as they could, for those to whom it belonged. But, notwithstanding Mr. Seward's excellent speech against the extension of slavery, a speech which we will not attempt to characterize, lest we use too laudatory terms, we yet have to make a complaint against him for calling the petitioners "madmen." The word "madmen" does not even insinuate

---

\* Slaveholding is discussed in the Senate, not as a moral question, but purely as a political one. It is maintained that a territory about to become a State, or that a State already such, has, at any time, a right to enslave part of the people who are now in it, or who may come into it; that there is no more moral character attached to the act of enslaving our fellow-man, than there is to the act of an individual who removes a chair from one side of a room to the other, as may best suit his taste or convenience. But we apprehend, when we feel more intensely the calamities which never fail to attend slavery, and which thicken as it grows older, its moral character will be completely vindicated. We shall then learn, too, though perhaps too late, how unphilosophical, how unwise it is to violate any of God's laws with regard to the treatment of any of his children, our fellow-creatures, and not expect their vindication.

the ground that I have no right to present a petition here for action upon a subject upon which Congress had no power to act. That is not my business — not at all. It is for the people to judge as to what they shall petition for, and when the time comes for action, then I have a right to judge what is the power of Congress to grant their prayer. The people who petition have the right to judge also whether Congress has a right to act, and then, when the subject is before us, we have the right to judge and decide of the propriety of the power to act," &c., &c.

MR. CHASE said: "I am one of those who believe that the right of petition belongs to the people, and that it is not within the constitutional power of this body, or of any other legislative body, to abridge that right. I do not think it becomes us to define the precise object to which a petition may be directed; but that, when petitions are presented here from the people, we, their representatives, are bound to receive those petitions, and if we think fit to decline answering their prayer, we are bound to assign our reasons for the refusal." . . . "It is for the people, to whom the right of petition belongs, to determine, for themselves, upon what occasion they will exercise it; and when they have determined and have exercised it, and their petitions are presented here, or in any other legislative body, they should be received. To refuse to receive them is, in my judgment, an infringement of that right." . . . "To stop short of this — to refuse to receive a petition — to say to the petitioners, you shall not be heard — is an invasion of their constitutional privilege. Sir, we cannot abridge that privilege by law; much less can we abridge it by mere usage or rule," &c.

MR. SEWARD: "I believe, sir, if there had never been any petitions *on the subject of slavery* rejected by Congress, there never would have been any petitions presented to Congress *for the dissolution of the Union*. I believe that, so long as we suffer those who are disunionists to maintain before the people a false issue on the right of petition, so long shall we have the right of petition abused and perverted for such purposes. And it is for that reason I should desire to receive this and all other petitions. The distinguished Senator from Michigan, [Mr. Cass,] has adverted to one or two cases, and asks, by way of parallel, whether we would receive petitions under such circumstances; as, for instance, a petition to declare there is no God? Well, sir, I have seen a question, very similar to that, broached, in my legislative experience. I have known large masses of the community agitated by an apprehension of a combination of church and state, growing out of an appointment of chaplains to legislative bodies. I have seen such petitions presented, and a great popular movement made, to compel the attention of the legislative body to the discussion of that question.

"The moment these petitions were received and elaborately discussed and decided upon, the agitation ceased. I remember also the presentation of petitions, very numerous signed, to legislative bodies, to prohibit the reading of the Bible in the common schools; and the question was raised, which was the wisest way to meet an agitation so injurious to the peace and morals of society. Some maintained that it was best to reject them, and others that it was best to receive them and give them an answer. They were received, referred, and an elaborate answer given them, and though that is more than ten years ago, no such petition was presented to the body afterwards. Now, sir, we shall never hear of petitions for the dissolution of the Union if we receive this, and give it that answer which is in the mouth as well as in the heart of every member of this body. It is a simple question whether we shall give these reasons. We are not above giving reasons to our fellow-men, not even above giving reasons for not dissolving the Union. George Washington was not above giving reasons why this Union should not be dissolved," &c.

---

ART. II. — *United States Exploring Expedition, during the years 1838, 1839, 1840, 1841, 1842, under the Command of CHARLES WILKES, U. S. N. Geology. By JAMES D. DANA, A. M., Geologist of the Expedition, f.c., f.c., f.c., with a Folio Atlas of twenty-one Plates.* New York, &c. 1849. Fol.

ARTICLE I — CORAL ISLANDS.

THE work to which we desire to call the attention of our readers in the following article, contains the results of the geological observations of the author while attached to the United States Exploring Expedition, under the command of Captain Wilkes. To Mr. Dana we are already indebted for the splendid and elaborate work on the zoophytes, which has excited universal admiration among scientific men. To these two works, which communicate to the world only a portion of the researches of the author while engaged on this Expedition, we look with the highest degree of satisfaction, as a noble contribution from this country to the treasures of scientific knowledge, and it is to such results that we would proudly point when called on by the grudging politician to



justify the comparatively small sum which this government bestows in encouraging the cause of science.

We need hardly apologize for devoting a few of our pages to the subject of Geology, at least to those branches of this science which have been especially illustrated in Mr. Dana's work, for we feel confident that the facts here given, and the theories by which they are linked together, are of so striking and beautiful a character as to enlist the attention of every thinking man, even if he be not a professional follower of science. Deeply interested ourselves in the subject, and aware of the important results which the investigation of other scientific observers had developed in those remote regions, visited by the Exploring Expedition, we had looked forward to the publication of this volume with great confidence, feeling assured that it would be a work of the greatest interest to the geologist. Now that we have read the book, we take pleasure in stating that we have not been disappointed in our most sanguine expectations, and, unless we are entirely mistaken in our estimate, both of the subject and of the author, we think that this work will insure to Mr. Dana as eminent a rank among geologists as he enjoys already among zoologists and mineralogists. If, in his investigations of the zoophytes, he has excited our admiration as an ingenious investigator, a faithful, industrious, and minute observer, he astonishes us in this volume by the comprehensiveness of his views, and his deep insight into those great operations of nature, the study of which require alike an acute and strong power of observation, and a truly philosophical mind.

These researches naturally embrace a wide field. From the nature of such an Expedition, and the very limited time allowed for observation in the different places, we can not of course expect more than a general outline of the principal features. But, even as such, they are of paramount importance, since they relate to countries of whose geological structure little or nothing definite was known: as, for instance, New Zealand, New South Wales, the Philippines, Deception Island, and, on this continent, the coasts of Chili, Peru, Terra del Fuego, Oregon, and California. As might be expected, these coasts and islands exhibit every variety of rocks, the study of which will greatly increase our knowledge of the extent of several geological formations. The descriptions are accompanied with several excellent maps, and numerous well-executed wood engravings. There is besides an Atlas

of plates, representing fossils mostly from the carboniferous series of New South Wales, with some tertiary fossils from the west coast of the American continent.

But above all it was the Pacific which afforded to Mr. Dana the richest field, as it had already furnished him the chief materials for his zoological researches; a noble field, indeed, if we consider that it includes more than sixty-two millions of square miles; exceeding, therefore, by ten millions of square miles, the area of all the continents and islands of the globe. About six hundred and seventy-five islands are scattered over this expanse of water. But though so numerous, the surface of the whole, exclusive of New Zealand, does not exceed eighty thousand square miles, or little more than New Zealand alone.

In point of beauty and variety of scenery, these Pacific archipelagoes equal, if they do not surpass, any other part of the world. This small area of land presents us with mountains fourteen thousand feet in height; volcanoes of unrivalled magnitude; peaks, crags, and gorges of Alpine boldness. And amid the wildness and grandeur of these scenes, many of which would well aid our conceptions of a world in ruin, the palm, the tree-fern, and other tropical productions flourish with singular luxuriance. Zoophytes, moreover, spread the sea-bottom near the shores with flowers, and form islands with groves of verdure above and coral gardens beneath the waters. There is no part of the world where rocks, waterfalls, and foliage are displayed in greater variety, or where the sublime and picturesque mingle in stranger combinations.

In a strictly geological sense, however, there is less variety among the islands of the Pacific than we might at first expect, considering the vast area embraced. It is not here that we are to look for a great diversity of formation. A flying trip through a single State, that of New York, for instance, would probably afford the means of making a much richer collection of minerals and fossils than would be obtained from hundreds of the Pacific islands. The great interest lies less in the monuments of remote geological periods, than in the operations of those great agencies of nature which have been the most active in the formation of our globe, the volcanoes on the one hand and the corals on the other.

We can hardly conceive of any thing more interesting than to witness the formation of continents and islands by the combined action of these two agents, so powerful in their effect

and so different in their manifestations as volcanoes and coral growth, the one convulsive and terrifying, the other quiet and incessant. Strange as it may appear, the volcanic activity, although more extensive and more powerful than anywhere else, is less efficient than the quiet and unceasing action of the vital force in those little marine animals which build the coral. "It is not a wonder," says an eminent naturalist, "which at first strikes the eye of the body, but rather, after reflection, the eye of reason. We feel surprised when travellers give accounts of the vast extent of certain ancient ruins; but how utterly insignificant are the greatest of these when compared to the pile of stone here accumulated by the work of various minute animals."

By far the greatest number of the islands of the Pacific are the result of this *combined action* of volcanoes and coral growth, although we may frequently recognize but one of these agencies. Yet, with a view to methodical arrangement, and in order to do justice to each of the agencies which have been active in the production of these archipelagoes, Mr. Dana divides the islands of the Pacific into three classes: 1. The *Coral Islands*. 2. The *Basaltic, or Igneous Islands*. 3. The *Continental Islands*, or those which partake of the same mixed geological character of the neighboring eastern continent.

The coral islands are said to cover an area of nineteen thousand square miles; but of this only one-eighth is dry land, the rest being, as we shall see hereafter, occupied by lagoons. They constitute several archipelagoes, the largest of which is that of the Taumotu Islands, north-east and east of the Society Islands. The whole number of islands in this group is eighty-two, and, except some smaller clusters, they are all of coral origin. Another archipelago, of like extent and character, is that of the Carolines, including ninety-four islands. Between these two large archipelagoes, various islands are scattered over the ocean; all of these, to the north of a line drawn from the Society Islands to Samoa and Rotuma, being of coral growth. Mr. Dana mentions, besides, a third archipelago, that of the Flinders Islands, between New Caledonia and New Holland, in which the islands north of the twenty-fifth degree of south latitude are believed to be entirely composed of coral.

The basaltic islands cover an area of sixteen thousand square miles. They are most striking, on account of the variety of their size and outlines. They may be seen of every shape, from a simple volcanic cone to broken mountain

heights with deep gorges and lofty peaks. At present, the number of active volcanoes is very small. The most conspicuous are those of Hawaii, in the Hawaiian or Sandwich Islands, of Tafoa and Amargura in the Tongan group, two or three in the northern Ladrões, several in the New Hebrides, and one or two on the coast of New Britain. They must, however, have been much more numerous in former times, if, as it is probable, all the coral islands have a basaltic foundation. We might then count for each island at least one volcano, so that their number, not reckoning subordinate vents, could not have been less than a thousand.

Before we proceed to the examination of these different kinds of islands, we beg leave to call the attention of the reader for a moment to some features which seem to be common to all the archipelagoes of the Pacific, and thus to proceed from one general cause. It has been long since observed that the islands of the Pacific are not scattered at random, but form regular ranges. This disposition, early led to the idea that they might be nothing but the summits of mountain chains sunk below the level of the ocean. Even the old and eminent French geographer, Buache, speaks of submarine mountain chains. The same idea was dwelt upon with great stress by Malte Brun, the Danish geographer, but it was not until within the last few years that it was fully demonstrated by detailed observations. Indeed, it is conclusively shown, by the observations of the Exploring Expedition, that there is a system, in the arrangement of these islands, as regular as in the mountain heights of the continent, indicating ranges of elevation as grand and extensive as those of the continents themselves. Thus the Sandwich Islands stretch in a direct line to the north-west. The Marquesas also are mostly in a single range. The Tahitian group, the Tongan, New Hebrides, New Caledonia, the Solomon Islands, the Ladrões, &c., are all in distinctly linear groups. But, according to Mr. Dana, the lines are not necessarily straight; and he goes even so far as to assert that "an exactly straight line is nowhere to be found; not even in a single ridge of a chain. The peaks advance and retreat all along the line, and occasionally the mountains sweep around into some new direction, and then return again more or less nearly to their former course." Something similar occurs in many of our continental mountain chains, especially in the Alleghanies, and whoever has seen the beautiful, but unfortunately, as yet, unpublished geological map

cylindrical pedicel, or body, often as broad as the disk itself, and usually not much larger, which contains the *stomach* and internal cavity of the polyp; and the mouth, which opens into the stomach, is placed at the centre of the disk. Here, then, the flower-animal and the garden-flower diverge in character—the difference being required by the different modes of nutrition in the two kingdoms of nature.”

All species of polyps do not secrete lime or coral. As there are mollusks without a shell, for instance the slugs, so there are many polyps without a shell. The most conspicuous among them is the so-called Sea-Anemone, or *Actinia*, which may be seen in abundance attached to the logs at our wharves. Being more accessible to naturalists than any other polyp, they have been studied with more care, and have been made the type of one of the two great divisions in the class of polyps, the *Actinidians*.\* Indeed, most of the coral polyps, although much smaller, correspond in structure to the Sea-Anemone, especially those large and beautifully sculptured white masses, like carved marble, which adorn our museums, (*Astrea*, *Meandrina*, *Madrepora*, &c.) Those which have a distinct internal axis, like the *Gorgonia* and the red coral, are less concerned in the construction of reefs.

In order to form a correct idea of the astonishing growth of corals, we must keep in mind that the polyps, as before stated, are plant-like animals, which spread and grow like shrubs. A bud starts from a parent branch, enlarges, and soon forms a branch equalling the parent in size. This is the commencement of a group, or corallum; the two branches continue in turn to bud, and we have only to imagine the parent and the new polyp to go on in the same proportion, to conceive how a large group, or corallum, may be formed in a short time, each polyp secreting its own calcareous sheath. When these sheaths remain isolated, they form branched coral like the *caryophyllia*, but, when adhering together, they form clusters, in the same way as we have branched and ball-shaped cactuses, yet it is not uncommon to see the clustered corals also form branches, as for instance the horn-shaped madrepores. The coral is generally secreted throughout the sides and at the base of the polyp, but sometimes a secretion takes

---

\* The other great division is that of the *Hydrarians*, including those polyps which are analogous to the fresh water *Hydra*. It is doubtful, however, if this order can be maintained, most of the species having proved to be but the early stage of some medusa, or jelly-fish.

place also between the fleshy lamella of the internal cavity of the polyp, and this produces the radiated lamella which constitute the star of the cells, so conspicuous in many species.

This secretion, if ever so active, would not, however, suffice to produce those heavy, dome-like masses which are so frequent on the islands of the Pacific, were it not for a peculiar law, which is beautifully explained by Mr. Dana, by which both life and death are made subservient to the purpose. Life and death are here in concurrent or parallel progress. In some instances, a simple polyp, while growing at the top, and constantly lengthening itself upward, is dying at its lower extremity, leaving the base of the coral bare and destitute of any living tissues. The polyp thus continues rising in height, and death progresses below at the same rate, till at last the live polyp may be seen at the extremity of a coral stem many times its own length. The same operation takes place in species which bud and form large groups. In some instances, the summit polyp, or polyps, bud and grow, while, at a certain distance below the summit, the work of death is going on, and polyps are gradually disappearing. There is thus a certain interval of life, the length of which is different for different species. There are zoophytes which grow to a height of several feet, and still only the upper one or two inches are living. The recent polyps at the top of the column are active with life, and vigorous in reproduction, while the more aged below, having reached the fixed limits of their existence, are disappearing. The enduring coral remains, and constitutes the basement or stage of action for future generations of polyps.

But death is not in progress at the base of the column or branch only. The whole interior of a trunk or dome is likewise dead. Thus a madrepore, although the branch may be an inch in diameter, is alive only to a depth of a line or two, the growing polyps of the surface having progressively died at their lower or inner extremity, as they increased outward. Those large domes of *Astrea*, likewise, which attain sometimes a diameter of ten or twenty feet, and are alive over the whole surface, are nothing but lifeless coral throughout the interior. Could the living portion be separated, it would form a hemispherical shell of polyps, in most species about half an inch thick. In some species of *Parites*, of the same size, the whole mass is lifeless, excepting the exterior, for one sixth of an inch in depth.

It is plain that, with such a mode of increase, there is no necessary limit to the growth of zoophytes. The rising col-

uman or dome may grow upward indefinitely, until it nears the surface of the sea, when death ensues simply from exposure, and not from any failure in its power of life. We may conceive, however, that if the land supporting the growing coral were very gradually sinking, the upward increase of the coral might continue without limit. There are thus sufficient means provided for the production of coral material for islands however numerous, and there is no exaggeration in saying that these humble ministers of creative power might, without other attributes than those they now possess, have even laid the foundation of continents and covered them with mountain ranges.

Now it may be asked, what prevents these coral stems and trunks from decay when deprived of that power of resistance which life gives? What protects them against the wearing and destructive action of the winds and waves, and thus prevents the destruction of a large part of the living zoophytes which grow upon the skeletons of their ancestors? Mr. Dana informs us that, by a beautiful provision of nature, the dead surfaces become the resting-place of numberless small incrusting species of polyps, which, like lichens, spread over the coral and prevent it from being destroyed by the dissolving action of the waters, when deprived of life, and from the wear of the waves. Some of these incrusting species, the Nullipores, for instance, are said to grow at the same rate with the advance of death in the zoophyte, so as to keep themselves up to the very limit of the living part. Even the debris of the corals become subservient to this great end — the preservation of the dead coral; for they settle into the many crevices among the dead trunks and fill up the intervals, which are often large, between the scattered coral groups, and by this combined action of living growth and detrital accumulation, a solid rock basement is formed and kept in constant increase.

If we were to judge of the structure of the coral reefs merely from the specimens of coral which we see in our museums, we might infer that they must be a very porous and easily decomposable rock. Such, however, is not the case. The coral reefs, especially those of the Pacific, are generally very compact; no matter if made of erect corals with the intervals filled in by reef-debris, as is the case mostly with the inner reefs, or of a coral conglomerate, or, what is more common, if composed of a fine and hard white limestone of homogeneous texture. The compactness of the coral rock in each of these cases is owing to the same process, a cementing by means of the finely

triturerated coral substance, which being suspended in the water is either deposited in the interstices of the coral, or accumulated in strata and cemented by being alternately moistened and dried by the action of recurring tides. And, as the debris of the corals are constantly wearing out under the influence of the waves, there is a constant supply of these fine materials. Those reefs which are absolutely homogeneous must be supposed to have been deposited as a very fine mud, in sheltered places, and consolidated afterwards. There are, indeed, mud-like deposits to be seen about many coral reefs, but, like the mud deposits (flats) of our own coast, they are found chiefly in the sheltered places, such as the channels or lagoons. It has been supposed, by Mr. Darwin, and others, that this fine calcareous mud might be derived partly from *Holothurias* and fishes, which are said to browse on the living zoophyte; but this supposition, according to Mr. Dana, is by no means adequate to the supply, and, if these animals play a part at all, it can be but a very subordinate one.

There is another difficulty connected with the inquiry, which we deem of more consequence for the geologist, namely — the fact that the most homogeneous coral rock should occur mainly in the *outer reef*, where the least shelter is to be expected. We have vainly looked for an explanation of this circumstance, and should be happy if these remarks should call forth a satisfactory solution of the problem.

Darwin suggested farther, that the coral mud of the lagoon might be a fit material for the formation of chalk. This supposition, although very probable at first view, is objected to by Mr. Dana, on the ground that in ordinary instances the mud, instead of becoming chalk, solidifies into compact limestone. The question then arises, what conditions are required to produce chalk?

As it appears there is, in the whole Pacific, but one instance known of a chalk-like deposit, and this is not found on any of the coral islands, but in the elevated reef of Oahu, one of the Sandwich Islands, and from its position at the foot of an extinct volcano, Mr. Dana seems inclined to ascribe it to the influence of heat, (some hot spring, for instance,) by which the waters might have been kept at a higher temperature than in the surrounding sea; and, since heated water dissolves lime much less readily than cold, this might be a reason for its inferior hardness and earthy structure. Without questioning the validity of the explanation in this particular case, we hardly



think that it could apply to those deposits of white chalk which are so extensive in some parts of Europe; for it would meet here with the same objection which Mr. Dana made to the production of coral mud by fishes, namely, of inadequacy.

The circumstance that coral reefs occur mainly within the tropics, indicates sufficiently to what degree they are dependent upon temperature. From a general survey of the facts, it appears that reef-forming species are not met with when the winter temperature remains for any considerable time below  $66^{\circ}$ , though in some places the thermometer may occasionally sink to  $64^{\circ}$ , or even lower. If we were therefore to trace, on each side of the equator, a line across the ocean touching all those points where the temperature falls lower than this, we should circumscribe an area which would include all the growing reefs of the world. With the exception of the Bermudas, (which owe their higher temperature to the vicinity of the Gulf Stream,) this area would extend in the northern hemisphere to near the 28th degree of latitude.

A similar limitation may be traced as regards the depth at which reef-building corals live. It was formerly believed that corals might grow at all depths. This view, however, has since proved to be erroneous. According to Quai and Gaimard, they are most abundant between five and six fathoms, and Darwin states that they do not generally extend beyond twenty fathoms. Ehrenberg did not find them lower than six fathoms, in the Red Sea. The observations of the Exploring Expedition tend to confirm, in every respect, these views with regard to the comparatively small depths in which the coral animals can exist. It is stated by Mr. Dana that, among the Fejee Islands, the extent of coral-reef grounds surveyed was many hundreds of square miles, and that throughout this region, as well as among the reefs of the Navigator Islands, and others of the Society group, no evidence was obtained of corals living at a greater depth than fifteen or twenty fathoms.

The surface of the coral reefs is not, as might be supposed, entirely covered with a growth of living coral, although the term *coral-garden*, which Mr. Dana proposes to replace by that of *coral-plantation*, would seem to convey this idea. The following is the picturesque, and, as we do not doubt, faithful description given by our author:—

“Like a spot of wild land, covered in some parts with varied shrubbery, in other parts bearing only occasional tufts of vegetation over barren plains of sand, here a clump of saplings, and

there a carpet of variously colored flowers — such is the coral plantation. Numerous kinds of zoophytes grow scattered over the surface, like the vegetation of the land : there are large areas, that bear nothing, and others that are thickly overgrown. There is no greensward to the landscape, and here the comparison fails. Sand and fragments fill up the bare intervals between the flowering tufts : or, when the zoophytes are crowded, there are deep holes among the stony stems and folia, that seem as if formed among the aggregated roots of the living corals."

Some disappointment is experienced by many in seeing for the first time a coral reef. But, as Mr. Dana observes, they should recollect that nature does not make green-houses, but distributes widely her beauties, and leaves it for man to gather into gardens the choicer varieties. Yet there are scenes in the coral landscape which justify the brightest coloring of the poet : where coral shrubbery and living flowers are mingled in profusion ; where astrea domes seem like the gemmed temples of the coral world, and madrepore vases the decoration of the graves ; and as the forests and flowers of land have their birds and butterflies, so

" Life, in rare and beautiful forms,  
Is sporting amid those bowers of stone."

Having thus given an outline of the growth and origin of corals, we have now to treat of their distribution, and their connection with the continents and islands. The very fact that, in the same latitudes, they are in some places crowded together, whilst in others they are entirely wanting ; that they sometimes form islands by themselves, and at others merely surround oceanic mountains, sufficiently shows that their distribution and form, like that of other great phenomena, volcanoes, for instance, is not a mere matter of chance, but depends upon certain general laws. Hence, it is important that we should be acquainted with their different features.

The first precise accounts which we possess of the coral islands are by Forster, the eminent German naturalist who accompanied Cook in his second voyage. They have since been investigated and described by many other travellers, such as Chamisso, Quai, and Gaimard, Ehrenberg, Darwin, Jukes, &c. But none have had so good an opportunity of studying all the peculiarities of coral formation as was afforded to the naturalists of the Exploring Expedition, and the report of Mr. Dana upon this subject must be considered as the most complete record in this branch of natural history. The coral

formations are divided by Mr. Dana into two classes, the *coral reefs*, and the *coral islands*, or *atolls*.

I. **CORAL REEFS.**—There may be seen, around most of the high volcanic islands of the Pacific, a rim or platform, apparently of rock, but in reality composed of a vast accumulation of coral; it is this bank or rim which constitutes the *reef*.

"It is of varying width, from a few hundred feet to a mile or more, and although the surface is nearly flat, it is often intersected by irregular boat-channels, or occasionally incloses large bays, affording harbor protection to scores of ships. In very many instances, the reef stands at a distance from the shore, like an artificial mole, leaving a wide and deep channel between it and the land; and within this channel are other coral reefs, some in scattered patches, and others attached close to the shore. The inner reef, in these cases, is distinguished as the *fringing reef*, and the outer as the *barrier reef*. The sea rolls in heavy surges against the outer margin of the barrier; but the still waters of a lake prevail within, affording safe navigation for the canoe, sometimes throughout the whole circuit of an island; and not unfrequently ships may pass, as by an internal canal, from harbor to harbor, around the island. The reef is covered by the sea at high tide, yet the smoother waters indicate its extent, and a line of breakers its outline. Occasionally, a green islet rises from the reef, and in some instances a grove of palms stretches along the barrier for miles, where the action of the sea has raised the coral structure above the waves."

Some of these reefs are of a considerable length, as, for instance, the inclosing barrier of Vanua Leru, (one of the Feejee Islands,) which is more than one hundred miles long. The Exploring Isles, in the eastern part of the Feejee group, have a barrier eighty miles in circuit. New Caledonia has a reef along its whole western shore, a distance of two hundred and fifty miles. Finally, there is the great Australian bank, which, according to Flinders, forms a broken line one thousand miles in length, along the eastern coast of New Holland, from the Northern Cape to the tropical circle, running parallel to the shore at a distance of between twenty and thirty, and in some places even of fifty and seventy, miles from it. From the fact that it is straight, and does not surround the continent, this reef was considered by Darwin as of a peculiar kind, distinct from those which encircle islands, and which for that reason are sometimes called *encircling reefs*.

II. **CORAL ISLANDS, OR ATOLLS.**—The coral island differs

from the coral reef chiefly in the absence of high land within the reef. Instead of a peak or mountain, the coral rim encircles merely a lake which goes by the name of *lagoon*. The rim is usually but a few hundred yards wide, and rises seldom more than eight or ten feet above the water. In some parts it is so low that the waves still dash over it into the lagoon, while in others it is verdant with the rich foliage of the tropics. As in the coral reef, this belt of verdure is frequently broken into islets, thus affording channels through which ships may occasionally pass into the lagoon. Sometimes these channels are very numerous, and in that case the rim may well be compared to a string of islands arranged along a line of coral reef. The name of the Maldivé Islands is said to be derived from this division of the coral rim into a great many islands, *mal* signifying a thousand or uncountable number, and *diva* an island. Indeed, so numerous are these islands in some archipelagoes, that, according to Captain Owen, the title of the King of the Maldives, who calls himself "The Sultan of the twelve thousand Isles," is by no means an exaggeration, the actual number being more than treble and fourfold.

The following description is given, by Mr. Dana, of the aspect of a coral island, or atoll:—

"When first seen from the deck of a vessel, only a series of dark points is descried just above the horizon. Shortly after, the points enlarge into the plumed tops of cocoa-nut trees, and a line of green, interrupted at intervals, is traced along the water's surface. Approaching still nearer, the lake and its belt of verdure are spread out before the eye, and a scene of more interest can hardly be imagined. The surf, beating loud and heavy along the margin of the reef, presents a strange contrast to the prospect beyond,—the white coral beach, the dense foliage of the grove, and the embosomed lake, with its tiny islets. The color of the lagoon waters is often as blue as the ocean, although but fifteen or twenty fathoms deep, yet shades of green and yellow are intermingled, where patches of sand or coral knolls are near the surface; and the green is a delicate apple-shade, quite unlike the usual muddy tint of shallow waters."

Occasionally, we meet with small coral islands, or simple reefs, without lagoons or mountainous islands in the middle. Sometimes there may also be seen smaller rings or atolls within the larger ones; and, in some instances, where the reef is divided into a great many islands, these islands are themselves annular reefs, each with its own little lagoon. This feature

seems to be especially striking in the Maldives, where it has been described by Darwin.

The rate of growth of the coral reefs is difficult to be ascertained, depending, as it does, upon a great variety of circumstances; such as the species of polyp, the depth below the surface, the temperature of the water, marine currents, the strength and height of tides, &c. The general impression is that their progress is slow, and this opinion is sustained by that of the naturalist of the Exploring Expedition. In order to form a standard of comparison for future observers, a slab of rock was placed, by the order of Captain Wilkes, on Point Venus, (Tahiti,) and, by soundings, the depth of the adjoining shoal below the level of this slab was carefully ascertained.

The next question to be asked is, How are the coral reefs converted into islands? since, as the polyps require to be continually immersed in salt water, they cannot raise themselves by their own efforts above the level of the tides. Different opinions seem to have been entertained among the members of the Expedition, as to this important point. That of Mr. Dana does not differ materially from the explanation which was given by Chamisso. Where, according to this author, the reef is of such a height that it remains almost dry at low water, the corals leave off building. The heat of the sun often penetrates the trap of stone when it is dry, so that it splits in many places, and the force of the waves is thereby enabled to separate and lift blocks of coral, frequently six feet long and three or four feet in thickness, and throw them upon the reef, by which means the ridge becomes at length so high that it is covered only during some seasons of the year by the spring tides. After this, the calcareous sand lies undisturbed, and offers to the seeds of trees and plants, cast upon it by the waves, a soil upon which they rapidly grow, to overshadow its dazzling white surface. Certain trunks of trees, which are carried by the rivers from other countries and islands, find here, at length, a resting-place, after their long wanderings. With them, come some small animals, such as insects and lizards, as the first inhabitants. Even before the trees form a wood, the sea-birds nestle here; stray land-birds take refuge in the bushes, and, at a much later period, when the work has been long completed, man appears and builds his hut on the fruitful soil.

However romantic such a spot may appear when we review its origin, it is none the less true that, in reality, the coral

island, in its best condition, is but a miserable residence for man. According to Mr. Dana, the natives themselves find this romance but a poor substitute for the bread-fruit and yams of more favored lands. The cocoa-nut and pandanus are, in general, the only products of the vegetable kingdom afforded for their sustenance, and fish and crabs from the reefs their only animal food. Scanty, too, is the supply; and infanticide is resorted to in self-defence, when the half a dozen square miles, of which their little world consists, would otherwise soon be overstocked.

"It would be," observes our author, "an interesting inquiry for a philosopher, to what extent a race of men placed in such circumstances are capable of mental improvement. How many of the various arts of civilized life could exist in a land where shells are the only cutting instruments; the plants, in all, but twenty-nine in number;\* but a single mineral (coral); quadrupeds none, with the exception of foreign mice; fresh water, barely enough for household purposes; no streams, nor mountains, nor hills? How much of the poetry or literature of Europe would be intelligible to persons whose ideas had expanded only to the limits of a coral island; who had never conceived of a surface of land above half a mile in breadth; of a slope higher than a beach; of a change of seasons beyond a variation in the prevalence of rains?"

The greatest wonder of these islands is not, however, at the surface, but in the deep beneath; and if it does not strike the eye, it impresses itself the more upon our mind. It is a well-known fact that the sea is very deep everywhere in the immediate vicinity of the reefs. Darwin states that in the Keeling or Cocos Islands, in the Indian Ocean, at the distance of but little more than a mile from the shore, Captain Fitz Roy found no bottom at seven thousand two hundred feet. Such an island is, therefore, a lofty submarine mountain, rising abruptly from the very depths of the ocean. When this feature was first observed, in Cook's voyage, it was supposed, by Forster, Cook's companion, that the coral animals had the power of building up steep and almost perpendicular walls, from great depths in the sea; a notion which prevailed for some time, until it was proved that polyps do not live in very deep water, and are seldom found alive beyond a depth of twenty fathoms.

---

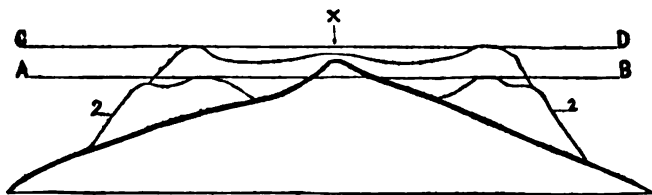
\* The whole number of plants found in the Paumotu archipelago, according to Dr. Pickering, the botanist of the Expedition.

Another theory was then prepared — the crater theory — which was based chiefly upon the form of the Lagoon Islands, or atolls. The circular form of the atolls, each having a lagoon in the centre, and being surrounded on all sides by deep ocean, suggested the idea that they were the crests of submarine volcanoes, overgrown by coral,— the crater of the volcano corresponding to the lagoon, and the rim to the reef. This theory, which originated with the ingenious Chamisso, the companion of Kotzebue, obtained, for a time, general currency, being advocated by Mr. Lyell, and other eminent geologists. In proportion, however, as the Pacific Islands became better known, the difficulties of this view increased, its insufficiency was more and more felt, and, at last, it had to yield entirely to another theory, more in accordance with the facts, namely, the subsidence theory of Mr. Darwin, the simplicity of which renders the grandeur of the conception the more striking. According to Mr. Darwin, the coral-forming polyps begin to build in water of a moderate depth, and, while they are yet at work, the bottom of the sea subsides gradually, from the action of subterranean causes, so that the foundation of their edifice is carried downwards at the same time that they are raising the superstructure. If, therefore, the rate of subsidence be not too rapid, the growing coral will continue to build up to the surface, the mass always gaining in height above its original base, but remaining, in other respects, in the same position. Not so with the land ; each inch is irreclaimably lost ; as the whole gradually sinks, the water gains, foot by foot, on the shore, till the last peaks of the original island disappear.

In connecting thus the coral reefs with the great phenomenon of continental subsidence, which is itself the natural consequence of the gradual cooling of our globe, Mr. Darwin has not only removed the difficulty arising from the depth at which corals are found, but has also solved the great problem of their geographical distribution ; whilst Mr. Dana, carrying the same principle still farther, has pointed out the cause of their absence in some portions of the ocean, and of their peculiar shape and size in others.

The first hint towards this brilliant generalization, Mr. Darwin found in those small islands, standing in the middle of a lagoon, surrounded by a barrier-reef, like a picture in its frame. He noticed that there was hardly any difference between these inclosed islets and the true atolls ; and that, could the small atoll be removed, there would remain a genuine lagoon island,

or atoll. He became thus convinced that no theory would be satisfactory, unless it accounted for both phenomena. Now, as some of these small islands consist of primary rocks instead of lava, it was obvious that they could not be parts of a volcanic cone. The subsidence theory was destined to show that they are indeed only modifications of the same process. This will be clearly understood from the following diagram:—



Let this diagram represent the section of one of the rocky islands of the Pacific, namely, a submarine mountain, surmounted by a coral reef, (2 2,) rising to the water's edge, (A B,) whilst the summit of the mountain, x, rises a little above it, like a small island in a lake. Let us suppose the island to subside gradually some hundred feet, and the water-level to be carried from the line A B, to C D, so as to submerge entirely the mountain x, and we shall have no longer an island, but an atoll; in other words, a lagoon, surrounded by a coral reef. If this be really the rule, then an atoll must indicate a greater amount of subsidence than a lagoon with a small island in the middle; and this again, a greater than a large mountain, surmounted merely by a fringing reef. "Thus the coral reef thrown around the lofty island, to beautify and protect it, becomes, afterwards, the permanent and the only record of its past existence." The Paumotu archipelago, according to Mr. Dana, is a vast cemetery, where each atoll marks the site of a buried island.

As to the thickness of the reefs, there are no means of ascertaining it, in an atoll, except by direct sounding, which, as may be expected, is not an easy matter. In the case of an island surrounded by a barrier reef, like that of the above diagram, it may, however, be inferred approximately on the assumption that the slope of the island on which the reef is based is the same below as above water.

Mr. Darwin inferred, on this assumption, that some of the coral reefs of the Gambier group, at their outer limits, are at least two thousand feet in thickness. We ought not, however, to



rely too implicitly upon this correspondence of the slopes above and below water, for it is a well-ascertained fact, that mountains in general are steeper towards their summit than at their base. Whoever has ascended Mount Washington, or any of the peaks of the Green Mountains, must have found that the slope increases in proportion as we come near the summit. This is owing chiefly to the fact that the debris are mostly accumulated on the lower slopes, and we find them to be especially numerous in the volcanic mountain, such as most of the peaks of the Pacific are known to be. When the slope is gentle, the same amount of subsidence will of course cause the coral reef to recede to a much greater distance than if it is steep, and in this way we may conceive of barrier reefs being many miles from the main land, like the barrier reef of north-eastern Australia. As a general rule, however, it may be admitted that those reefs which are the farthest from the land imply the greatest amount of subsidence.

Those of our readers who are familiar with the result of modern geological investigations, will not consider it by any means an improbable assumption that extensive changes in the relative level of land and sea should have taken place, a theory which seems to be demanded by the form and position of the coral islands. To be sure, we are accustomed instinctively to consider the land as the emblem of solidity, and hence our surprise at the idea that it should be otherwise. But the observations made in Sweden, showing that the whole coast is undergoing a gradual upheaval, the similar indications on the eastern coast of this continent, together with the many evidences of slow upheaval during the most recent geological period, are sufficient proof that oscillations in the relative level of water and land are by no means of unfrequent occurrence.

We are not astonished, therefore, that this theory, (one of the greatest conceptions of the human mind in our age,) should have gained in a short time almost universal approbation. Mr. Dana could not fail to adopt it; and, by giving to it the sanction of his extensive investigations, he has established it on a firm basis of evidence; whilst on the other hand, as we shall see hereafter, he has corrected and modified those portions which were not substantiated by sufficient facts. Notwithstanding this confirmation, the subsidence theory has still some opponents, among them Captain Wilkes himself. With all due regard for the great abilities of the distinguished head of the Exploring Expedition, and although we are ready to acknowl-

edge that, in some particulars, the structure of the coral reefs requires farther examination, yet we cannot admit that the objection made by him, to the theory in question, will at all weaken the arguments of Messrs. Darwin and Dana. Least of all can we agree with him, when he puts his dissent on the ground "that it seems almost absurd to suppose that these immense banks have been raised by the exertions of a minute animal." To a geologist, no more powerful agency will seem requisite than that of such apparently insignificant causes.

It follows, as a consequence of the above-mentioned theory, that coral reefs of any description, no matter if in the form of lagoon islands, encircling or barrier reefs, are indications of subsidence, whilst skirting reefs and uplifted banks of shells and corals furnish evidence of upheavals. Applying this principle to the Pacific and Indian seas, Mr. Darwin has divided them into several areas of subsidence and elevation. Thus, commencing with the western shores of South America, he finds in its upraised banks of marine shells undoubted proof of upheaval. Proceeding, westward there is first a deep ocean without islands, until we come to the archipelagoes of the Society Islands, which include many atolls and encircled islands, and constitute, therefore, an area of subsidence more than four thousand miles in extent. Farther west are the New Hebrides, Solomon and New Ireland, which are supposed to indicate another area of upheaval. Again, to the westward of the New Hebrides, we reach the encircling reef of New Caledonia and the great Australian barrier, which implies a second area of subsidence.

Mr. Dana, whilst adopting the same general principle, applies it in a somewhat different, and, as we think, more philosophical manner. He looks at the changes of level, not merely in their opposition to each other, as subsidence and elevation; but, viewing them with an eye accustomed to regard the operations of nature in their relation to time, in their chronological perspective, so to speak, he distinguishes several successive phases in the history of the changes of level, namely: 1. A general epoch of subsidence, indicated by the atolls and barrier reefs. 2. Elevations during more recent periods, and partly during the same epoch of subsidence. 3. Changes of level anterior to the atoll subsidence, and the growth of recent corals.

As to the subsidence indicated by atolls, it is stated that if a line be drawn from Pitcairn's Island, the southernmost of

the Paumotu archipelago, by the Gambier group, the north of the Society group and the Solomon Islands, to the Pelews, it will mark the boundary between the atolls and the high islands of the Pacific; the former lying to the north of the line, and the latter to the south. Now, if it be true that atolls afford evidence of a greater subsidence than barrier or encircling reefs, we may infer, from their preponderance in the immediate vicinity of the above line, and their entire absence farther south, that the subsidence was relatively inconsiderable along the said line, and went on decreasing from thence southward, attaining its maximum north of the line where atolls universally prevail. Now it is a fact well worthy of notice, that to the north of these very islands, which are supposed to indicate a greater amount of subsidence, (Paumotu and Gambier group,) there is a wide blank of ocean, twenty degrees in breadth, which is without an island. This area lies between the Sandwich, the Fanning, and the Marquesas, and stretches far to the northwest. Considering it to be an established fact that the atolls decrease in size in consequence of continued subsidence, and at last disappear entirely, Mr. Dana asks if it would not be sufficient, in order to explain the above blank, merely to suppose that the same subsidence which reduced the size of the islands to mere patches of reef, continued increasing northward, and thus caused the total disappearance of islands that once existed over this part of the ocean? It would follow, therefore, if the premises are true, that the subsidence increased from the south to the northward, or northeastward, and was greatest between the Samoan and Hawaiian or Sandwich Islands, about longitude  $170^{\circ}$  to  $175^{\circ}$  west, and latitude  $8^{\circ}$  to  $10^{\circ}$  north.\*

A line drawn from Pitcairn, at the eastern corner of the Gambier group,  $125^{\circ}$  west, towards Japan, would, according to Mr. Dana, represent the axis or line of greatest depression for that vast equatorial area of subsidence.

However considerable the sinking may have been in the Society, Samoan, Sandwich, and other volcanic islands, the very fact that they are actual basaltic mountains, tells us that their amount of subsidence must be small, when compared with that required to submerge all the lands in the coral islands, so as to leave nothing but atolls; as, for instance, in the Paumo-

---

\* The same rule may also be traced out separately in the different groups, especially in the Gambier group, the Tahitian Islands, the Samoa, Feejee, and Ladrões.

tus or Gambier Islands. One or two, or even five hundred feet could not have buried all the many peaks of these islands. There are now, among the volcanic groups, mountains which rise to all heights, from four thousand to fourteen thousand feet above the sea. We would therefore ask, with Mr. Dana, whether it be reasonable to suppose that, throughout this extensive area, where the two hundred atolls were actual mountains, there were among them none equal in altitude to the mean of their heights? However moderate our estimate, there must still be allowed a sinking of several thousand feet. Indeed, a subsidence twice and three times as considerable would not be extravagant when compared with the changes of level which continents are known to have sustained. The area between the New Hebrides and Australia, over which the whole surface is presumed to have undergone a simultaneous depression, cannot have been less considerable. The long reef of one hundred and fifty miles, stretching from the south cape of New Caledonia, cannot be explained without supposing a subsidence of one or two thousand feet, at least; and the distant barrier of New Holland is proof of a still greater subsidence.

It has already been remarked, by Mr. Lyell, what an extraordinary spectacle would be presented if the bottom of the Pacific, where atolls abound, should be upraised and laid dry. We should behold mountain peaks and ridges, composed fundamentally of volcanic rocks, on which tabular masses of limestone would repose, most of them reaching to the same height, that is, to the present actual surface of the reefs, although starting from very different levels. Some of these calcareous cappings would be continuous over an area of three miles, others above three hundred miles in circumference, while their thickness might vary from one thousand to ten thousand feet or more. In the lower regions, between the mountain ridges, there would often be no contemporary deposits, or, when exceptions occurred to this rule, the calcareous strata would differ in their nature as much as the species of fossils which they inclosed from the tabular masses of coral.

From the actual extent of the coral reefs and islands, Mr. Dana infers that the whole amount of high land lost to the Pacific by subsidence is at least fifty thousand square miles. But, since atolls are necessarily smaller than the land they cover, and the more so, the farther the subsidence has proceeded; since many islands, owing to their abrupt shores or through volcanic agency, must have had no reefs about them,

and have disappeared without a mark, and others may have subsided too rapidly for the corals to retain themselves at the surface, it is obvious that the estimate is far below the truth. In many cases islands, now disjoined, have once been connected, and the several atolls may have been formed about the heights of a single subsiding island of large size. It is plain, therefore, that the scattered atolls and reefs do not tell half the story. Might it not be that the extra tropical areas are almost entire blanks on our charts, merely because the climate did not allow the zoophytes to plant their growing registers upon the subsiding summits of their islands, and that, like Plato's Atlantis, they have disappeared without leaving a sign to mark the spot where they once stood? However, we should be careful not to indulge too readily in fancies which are not sustained by facts. It is an easy matter for the fancy to speculate about the former existence of a Pacific continent; but, as Mr. Dana justly observes, geology, as yet, *knows* nothing of it.

As to the epoch when these changes took place, there is every probability that it was within and since the tertiary epoch. This is inferred from the fact that, in one of the islands, where the corals have been raised over two hundred feet, the species are found to be the same as those now living. Although we do by no means agree with those naturalists who pretend that all the fossils of every geological formation are necessarily specifically distinct from those of the adjoining deposits, and that the creation has been utterly destroyed and renewed at each time, we think, with Mr. Dana, that there is no reason to refer them to a very remote period; and since we do not therefore know of any existing animals or plants found in a fossil state farther back than the tertiary, it is but rational not to carry back the origin of the zoophytes to a more remote epoch, however great the length of time they may have required to build up the walls of the atolls and reefs to such a thickness as we know them to occur in the Pacific.

Finally, Mr. Dana mentions the following instance of a subsidence now in progress, which was communicated to him by Mr. Horatio Hale, the Philologist of the Expedition, who gathered it from a foreigner who had been for awhile a resident on the Island of Banabe, (east of the Carolines.) It is evident that the constructions at Ualar and Banabe are of the same kind, and were built for the same purpose. It is also clear that, when the latter were raised, the islet on which they stood was in a different condition from what it is now. For at

present they are actually in the water ; what were once paths are now passages for canoes, and when the walls are broken down the water enters the inclosures. Mr. Hale hence infers that the land on the whole group of Banabe, and perhaps all the neighboring groups, has undergone a slight depression.

Besides the instances of subsidence which we have been examining, there are undoubted instances of elevation in the Pacific. Mr. Dana gives a careful account, with a comparative chart of all the islands which afford, or are said to afford, evidence of a change of level in that direction. Instances are found in almost every archipelago ; as, for instance, in the Paumotu, the Society, the Tongan, the Samoan, the Feejees, the Sandwich, the Carolines, the Ladrões, &c. But, as a general rule, the elevation is very limited ; in most cases it amounts only to a few feet, and seldom exceeds one hundred feet. In the most striking instance, that of the island of Hetia, or Aurora, one of the western Paumotus, the raised cliffs of coral do not exceed two hundred and fifty feet in height. Now it must be granted that such elevations are utterly insignificant when compared with the amount of subsidence which is to be inferred from the atolls, or reefs. Nor is there any proof whatever that they extended over wide areas, nor that they took place simultaneously in the different groups. Darwin seems, therefore, to have overrated their importance, in bringing them in constant opposition to the subsidence. We think that Mr. Dana has taken the most correct view, when he represents them merely as " minor disturbances over limited areas ; whereas the subsidence, exhibited by the atolls and reefs, exemplify one of the grander events in the earth-history, in which a large segment of the globe was concerned." But the means by which both elevations and subsidences are ascertained are the same, namely, coral reefs. Had there been no growing coral, the whole would have passed without a record ; these permanent registers, planted in ages past, in various parts of the tropics, exhibit, in enduring characters, the oscillations which the earth has since undergone, and thus creations are made to inscribe their own history ; and every body will agree with Mr. Dana, that " there is a noble pleasure in deciphering even one sentence in the book of nature."

As to the changes of level, preceding the coral reefs, which constitute the most brilliant part of the author's theory, we shall examine them in another article, after having reviewed the volcanic actions of the Pacific, with which they are more intimately connected.

ART. III.—*The Scarlet Letter — A Romance*. By NATHANIEL HAWTHORNE. Boston. Ticknor, Reed, and Fields. 1850.

No author of our own country, and scarcely any author of our times, manages to keep himself clothed in such a cloak of mystery as Nathaniel Hawthorne. From the time when his "Twice-Told Tales" went, in their first telling, floating through the periodicals of the day, up to the appearance of "*The Scarlet Letter*," he has stood on the confines of society, as we see some sombre figure, in the dim light of the stage scenery, peering through that narrow space, when a slouched hat and a muffling cloak do not meet, upon the tragic events which are made conspicuous by the glare of the footlights. From nowhere in particular, from an old manse, and from the drowsy dilapidation of an old custom-house, he has spoken such oracular words, such searching thoughts, as sounded of old from the mystic God whose face was never seen even by the most worthy. It seems useless now to speak of his humor, subtle and delicate as Charles Lamb's; of his pathos, deep as Richter's; of his penetration into the human heart, clearer than that of Goldsmith or Crabbe; of his apt and telling words, which Pope might have envied; of his description, graphic as Scott's or Dickens's; of the delicious lanes he opens, on either hand, and leaves you alone to explore, masking his work with the fine "*faciebat*" which removes all limit from all high art, and gives every man scope to advance and develop. He seems never to trouble himself, either in writing or living, with the surroundings of life. He is no philosopher for the poor or the rich, for the ignorant or the learned, for the righteous or the wicked, for any special rank or condition in life, but for human nature as given by God into the hands of man. He calls us to be indignant witnesses of no particular social, religious, or political enormity. He asks no admiration for this or that individual or associated virtue. The face of society, with its manifold features, never comes before you, as you study the extraordinary experience of his men and women, except as a necessary setting for the picture. They might shine at tournaments, or grovel in cellars, or love, or fight, or meet with high adventure, or live the deepest and quietest life in unknown corners of the earth,—their actual all vanishes before the strange and shifting picture he gives of the motive heart of man. In no

work of his is this characteristic more strikingly visible than in "The Scarlet Letter;" and in no work has he presented so clear and perfect an image of himself, as a speculative philosopher, an ethical thinker, a living man. Perhaps he verges strongly upon the supernatural, in the minds of those who would recognize nothing but the corporeal existence of human life. But man's nature is, by birth, *supernatural*; and the deep mystery which lies beneath all his actions is far beyond the reach of any mystical vision that ever lent its airy shape to the creations of the most intense dreamer.

When he roamed at large, we cared not to attribute any of his wisdom to his mode of life. When he hailed from an old manse, "living," as he says, "for three years within the subtle influence of an intellect like Emerson's, indulging fantastic speculations beside the fire of fallen boughs with Ellery Channing, talking with Thoreau about pine trees and Indian relics, in his hermitage at Walden, growing fastidious by sympathy with the classic refinement of Hillard's culture, becoming imbued with poetic sentiment at Longfellow's hearth-stone," we seem ready to receive him as the fruit of such culture. When he *descended*, as he would have us believe, into the realms of the actual, and acted his part among practical men, we were not so ready as he was, himself, to submit to his burial, but waited for the next words which should fall from his lips. And we were obliged to wait until the breeze which bore his commission to his feet retired, and swept away the honors and emoluments to cast them before some other willing recipient. And now he comes before us, not only the deep and wonderful thinker, the man of intense life we have always known, but in the new attitude of an office-holder, and, in this guise, gives us his *dictum*.

One word upon this matter, contained in the "Introduction" of the book. However singular he may be in other respects, his opinion of office-holding appears to be in common with that of the "rest of mankind" — the possessors of place always excepted. The mental paralysis which attended his own experience in this mode of life, — which grows out of leaning on "the mighty arm of the Republic," which comes of feeding on the pap of government, and remains after the food is removed, — is, unquestionably, the disease which is peculiar to this locality of the business world. As pettifogging from law, quackery from medicine, bigotry and dogmatism from divinity, eagerness and avarice from the business of the counting-house



and the market, uncompromising hate and bitterness from reform, callousness, in a word, from all the practical detail and manipulation of life,—so come subserviency and want of self-reliance from office-holding. No more, and no less. It is a painful fact that every way of life, whose tendency is to a practical result, becomes hard, bare, dusty, and ignoble from constant travel. Though many men resist this effect, all men feel it; and that power which makes a man an open-minded, sagacious jurist, a kind and honest physician, a liberal divine, a generous business-man, a gentle and charitable reformer, sustains some in the duties of office conferred by party, giving dignity and respectability to their place, and opportunity and experience to themselves. There is an energy which no circumstance can destroy, which belongs to that subtle and defiant essence called character. Life has two results—the development of the strong, and the destruction of the weak; and it is to the latter, alone, that the degradations of practical effort belong. If we run our eye over literary history, and see the intellectual fire which has been subjected to the quenching influences of patronage and place, from Chaucer to Hawthorne, we shall not condemn office-holding as wholly enervating. If we go from the custom-house into State Street, we shall find that office-holding is not the only mercenary sphere in the world. And if we wander out of the region of politics into the pulpit, we shall find that the former does not contain all the time-serving subserviency. To us who live under no rain of manna, the whole process of getting a living is hard enough at best. And he who can make this work secondary to the great life of thought, and a relaxation to his laboring mind, unites those powers which carry man to his highest development.

Of Hawthorne as a worker, especially as an office-holder, we would not think or speak more than is necessary. He has presented himself in this light, and of course demands notice, as every extraordinary man does, whatever be his sphere of action. And even here, condemn the position as he may, we are glad to admire his peculiar genius. From the height of that tall office-stool on which he sat, his survey of mankind around him was clear, just, and penetrating. There is not a life whose daily history, sincerely and earnestly presented, does not appeal to our sympathy and interest. And we are reminded of the strong human groups of Teniers and Poussin, as we read the graphic picture of those old custom-house attachés from the pen of Hawthorne. His appreciation of

himself, and of each individual associate, whatever be his qualities, commands our unreserved assent. The general, the clerks, the inspectors, the "father of the custom-house," are real flesh and blood; and each acts his part in the drama with an interest and an effect which forbid his removal from the group. It is astonishing, how accurately he delineates the peculiar characteristics of his associates,—how delicately and how justly. While we sit and listen with the intensity of sympathetic interest to the effect which each foot-worn stone in the court-yard, each grass-grown corner of the old neglected wharf, each incursion of busy merchants, and "sea-flushed" sailors, each rafter of that old building where the traditions were hung up to dry, each duty and interest has upon the mind and heart of this acute observer and delineator; we grow muscular, and peculiarly vital and stomachic, over the old ever-green inspector,—we are vitalized account-books with the accurate clerk; we are half asleep with the snoring old sea-dogs, who range along the passage; and we are firm, immovable, placid, patriotic, brave, when we read the tender and touching recognition of the peculiar reverence due the calm and silent night which rests upon the great quenched mass of forces contained in the hoary old collector himself. The humor here is inimitable too. The high stool sustains a keen and quaint surveyor, in one instance at least; and, although some might question the delicacy of the personal allusions, we are forced to admire the twinkling good-nature, the honest confidence, the pathetic penetration, which play over that countenance as it takes its survey, and we know no such word as indelicacy as applicable to the result of that survey, for which we are as grateful as we are to Hogarth for his groups and faces. Although, to many minds, we doubt not a sense of spleen and vindictiveness may be imparted by the "Introductory," we should no sooner look for these passions from the high stool of the surveyor of the Salem custom-house, than from the desk of that clerk who carried, day after day for so many years, to his books in the India House, such wit and humor, such affection and touching devotion, such knowledge and gentleness, such purity of heart, and such elegant delicacy and power of mind.

But the office-holder is guillotined, his official head drops off—*presto*—and Hawthorne, resuming his literary cranium, marches out of the custom-house, with the manuscript and *Scarlet Letter* of old Surveyor Pue, in his pocket. The

sale of the book has distributed the story — we would deal with its philosophy and merits. It is, as we had a right to expect, extraordinary, as a work of art, and as a vehicle of religion and ethics.

Surrounded by the stiff, formal dignitaries of our early New England Colony, and subjected to their severe laws, and severer social atmosphere, we have a picture of crime and passion. It would be hard to conceive of a greater outrage upon the freezing and self-denying doctrines of that day, than the sin for which Hester Prynne was damned by society, and for which Arthur Dimmesdale damned himself. For centuries, the devoted and superstitious Catholic had made it a part of his creed to cast disgrace upon the passions; and the cold and rigid Puritan, with less fervor, and consequently with less beauty, had driven them out of his paradise, as the parents of all sin. There was no recognition of the intention or meaning of that sensuous element of human nature which, gilding life like a burnishing sunset, lays the foundation of all that beauty which seeks its expression in poetry, and music, and art, and gives the highest apprehension of religious fervor. Zest of life was no part of the Puritan's belief. He scorned his own flesh and blood. His appetites were crimes. His cool head was always ready to temper the hot blood in its first tendency to come bounding from his heart. He had no sympathy, no tenderness, for any sinner, more especially for that hardened criminal who had failed to trample all his senses beneath his feet. Love, legalized, was a weakness in the mind of that mighty dogmatist, who, girt with the "sword of the Lord and of Gideon," subdued his enemies, and, with folios of texts and homilies, sustained and cheered his friends; and love, illegalized, was that burning, scarlet sin which had no forgiveness in these disciples of Him who said to the woman, "neither do I condemn thee." The state of society which this grizzly form of humanity created, probably served as little to purify men as any court of voluptuousness; and, while we recognize with compressed lip that heroism which braved seas and unknown shores, for opinion's sake, we remember, with a warm glow, the elegances and intrepid courage and tropical luxuriance of the cavaliers whom they left behind them. Asceticism and voluptuarism on either hand, neither fruitful of the finer and truer virtues, were all that men had arrived at in the great work of sensuous life.

It was the former which fixed the scarlet letter to the

breast of Hester Prynne, and which drove Arthur Dimmesdale into a life of cowardly and selfish meanness, that added tenfold disgrace and ignominy to his original crime. In any form of society hitherto known, the sanctity of the devoted relation between the sexes has constituted the most certain foundation of all purity and all social safety. Imperfect as this great law has been in most of its development, founded upon and founding the rights of property, instead of positively recognizing the delicacy of abstract virtue, and having become, of necessity, in the present organization, a bulwark of hereditary rights, and a bond for a deed of conveyance, it nevertheless appeals to the highest sense of virtue and honor which a man finds in his breast. In an age in which there is a tendency to liberalize these, as well as all obligations, in order to secure those which are more sacred and binding than any which have been born of the statute-book, we can hardly conceive of the consternation and disgust which overwhelmed our forefathers when the majesty of virtue, and the still mightier majesty of the law, were insulted. It was as heir of these virtues, and impressed with this education, that Arthur Dimmesdale, a clergyman, believing in and applying all the moral remedies of the times, found himself a criminal. We learn nothing of his experience during the seven long years in which his guilt was secretly gnawing at his breast, unless it be the experience of pain and remorse. \* He speaks no word of wisdom. He lurks and skulks behind the protection of his profession and his social position, neither growing wiser nor stronger, but, day after day, paler and paler, more and more abject. We do not find that, out of his sin, came any revelation of virtue. No doubt exists of his repentance,— of that repentance which is made up of sorrow for sin, and which grows out of fear of consequences; but we learn nowhere that his enlightened conscience, rising above the dogmas and catechistic creeds of the day, by dint of his own deep and solemn spiritual experiences, taught him what obligations had gathered around him, children of his crime, which he was bound to acknowledge before men, as they stood revealed to God. Why had his religious wisdom brought him no more heroism? He loved Hester Prynne — he had bound himself to her by an indissoluble bond, and yet he had neither moral courage nor moral honesty, with all his impressive piety, to come forth and assert their sins and their mutual obligations. He was, evidently, a man of powerful nature. His delicate sensibility, his fervor,

his influence upon those about him, and, above all, his sin, committed when the tides of his heart rushed in and swept away all the bulrush barriers he had heaped up against them, through years of studious self-discipline,—show what a spirit, what forces, he had. Against none of these forces had he sinned. And yet he was halting, and wavering, and becoming more and more perplexed and worn down with woe, because he had violated the dignity of his position, and had broken a law which his education had made more prominent than any law in his own soul. In this way, he presented the twofold nature which belongs to us as members of society;—a nature born from ourselves and our associations, and comprehending all the diversity and all the harmony of our individual and social duties. Violation of either destroys our fitness for both. And when we remember that, in this development, no truth comes except from harmony, no beauty except from a fit conjunction of the individual with society, and of society with the individual, can we wonder that the great elements of Arthur Dimmesdale's character should have been overbalanced by a detestable crowd of mean and grovelling qualities, warmed into life by the hot antagonism he felt radiating upon himself and all his fellow-men—from the society in which he moved, and from which he received his engrafted moral nature? He sinned in the arms of society, and fell almost beyond redemption; his companion in guilt became an outcast, and a flood of heroic qualities gathered around her. Was this the work of social influences?

Besides all this, we see in him the powerlessness of belief, alone, to furnish true justification through repentance. The dull and callous may be satisfied with the result of this machinery, in its operations upon their souls. But the sensitive and the clear-sighted require peace with themselves, growing out of a dignified and true position taken and held. It is not the unburthening relief afforded by the confessional, great as that relief may be, which brings self-poise and support under a weighty sense of sin, or the consciousness of actual crime; but it is faith in the power of a confident soul to stand upright before God, by means of that God-given strength which raises it above sin. And this every soul can do, until it is taught that it can not and must not. The spirit of the young clergyman struggled for this right, which his soul still recognized. He was a dogmatist by education alone, not by nature. His crime, rebuked by his theories, and by those religious rigors

which destroyed all his cognizance of his soul's elements and rights, made him selfish and deceitful, while his heart rebelled against such a craven course, and demanded, with an importunity at last fatal to him, that he should become justified before man as he was before God, and longed to be before his own conscience, by the sincerity of his position. After imbibing unwonted strength from an interview with her whom worldly scorn had rendered resolute, he made an open avowal, which disarmed this wary enemy, and gave a calm and peaceful death to himself. In the same way might he have earned a peaceful life — and in no other. Not a human eye could look on him, and recognize the sinner. His secret was well locked and guarded. But all this safety was the poorest shame to him, whose nobility of nature demanded assertion.

In this matter of crime, as soon as he became involved, he appeared before himself no longer a clergyman, but a man — a human being. He answered society in the cowardly way we have seen. He answered himself in that way which every soul adopts, where crime does not penetrate. The physical facts of crime alone, with which society has to do, in reality constitute sin. Crimes are committed under protest of the soul, more or less decided, as the weary soul itself has been more or less besieged and broken. The war in the individual begins, and the result of the fierce struggle is the victory of the sensual over the spiritual, when the criminal act is committed. If there is no such war, there is no crime; let the deed be what it may, and be denominated what it may, by society. The soul never assents to sin, and weeps with the angels when the form in which it dwells violates the sacred obligations it imposes upon it. When this human form, with its passions and tendencies, commits the violation, and, at the same time, abuses society, it is answerable to this latter tribunal, where it receives its judgment; while the soul flees to her God, dismayed and crushed by the conflict, but not deprived of her divine inheritance. Between the individual and his God, there remains a spot, larger or smaller, as the soul has been kept unclouded, where no sin can enter, where no mediation can come, where all the discords of his life are resolved into the most delicious harmonies, and his whole existence becomes illuminated by a divine intelligence. Sorrow and sin reveal this spot to all men — as, through death, we are born to an immortal life. They reveal what beliefs and dogmas becloud and darken. They produce that intense consciousness, with-

Curious  
notion  
here that  
soul of  
man  
must  
oppose  
evil to  
which  
only his  
body  
succumbs.

out which virtue can not rise above innocence. They are the toil and trial which give strength and wisdom, and which, like all other toil, produce weariness and fainting and death, if pursued beyond the limit where reaction and the invigorating process begin. We can not think with too much awe upon the temptations and trials which beset the powerful. The solemn gloom which shuts down over a mighty nature, during the struggle, which it recognizes with vivid sense, between its demon and its divinity, is like that fearful night in which no star appears to relieve the murky darkness. And yet, from such a night as this, and from no other, the grandeur of virtue has risen to beautify and warm and bless the broad universe of human hearts, and to make the whole spiritual creation blossom like the rose. The Temptation and Gethsemane,—these are the miracles which have redeemed mankind.

Thus it stands with the individual and his soul. With himself and society come up other obligations, other influences, other laws. The tribunal before which he stands as a social being cannot be disregarded with impunity. The effects of education and of inheritance cling around us with the tenacity of living fibres of our own bodies, and they govern, with closest intimacy, the estimate of deeds which constitute the catalogue of vice and virtue, and which in their commission elevate or depress our spiritual condition.

We doubt if there is a stronger element in our natures than that which forbids our resisting with impunity surrounding social institutions. However much we may gain in the attempt, it is always attended with some loss. The reverence which enhanced so beautifully the purity and innocence of childhood, often receives its death-blow from that very wisdom out of which comes our mature virtue. Those abstractions whose foundation is the universe, and without an apprehension of which we may go handcuffed and fettered through life, may draw us away from the devotion which deepened and gilded the narrow world in which we were strong by belief alone. The institutions in which we were born controlled in a great degree the mental condition of our parents, as surrounding nature did their physical, and we owe to these two classes of internal and external operations the characters we inherit. An attack, therefore, upon these institutions, affects us to a certain degree as if we were warring against ourselves. Reason and conscience, and our sublimest sense of duty, may call us to the work of reform,—instinct resists. And the

nervous energy called for in the struggle is felt through our whole frames with a convulsive influence, while our children seem to have been born with the spirit of unrest. That harmonious calm, out of which alone healthy creations can arise, appeals to all man's interests, even when the quiet sky he is admiring overhangs an ill-cultivated and sterile field. As he puts in his ploughshare for the upturning of the first furrow, he looks over the expanse which the rest of ages has sanctified, and sighs a farewell to the failure of the past, and a sad and sorrowful welcome to the toil and doubt and undeveloped promise of the future.

This law of our nature, which applies to the well-directed and honest efforts of good progressive intentions, applies also to misguided and sinful actions. The stormy life of the erring mother affords no rest for the healthy development of her embryonic child. It amounts to but little for her to say, with Hester Prynne, "what we did had a consecration of its own," unless that consecration produces a heavenly calm, as if all nature joined in harmony. Pearl, that wild and fiery little elf, born of love, was also born of conflict; and had the accountability of its parents extended no farther than the confines of this world, the prospective debt due this offspring involved fearful responsibilities. How vividly this little child typified all their startled instincts, their convulsive efforts in life and thought, their isolation, and their self-inflicted contest with and distrust of all mankind. Arthur Dimmesdale, shrinking from intimate contact and intercourse with his child, shrunk from a visible and tangible representation of the actual life which his guilty love had created for himself and Hester Prynne; — love, guilty, because, secured as it may have been to them, it drove them violently from the moral centre around which they revolved.

We have seen that this was most especially the case with the man who was bound and labelled the puritan clergyman; that he had raised a storm in his own heavens which he could not quell, and had cast the whirlwind over the life of his own child. How was it with Hester Prynne? ✓

On this beautiful and luxuriant woman, we see the effect of open conviction of sin, and the continued galling punishment. The heroic traits awakened in her character by her position were the great self-sustaining properties of woman, which, in tribulation and perplexity, elevate her so far above man. The sullen defiance in her, was imparted to her by



society. Without, she met only ignominy, scorn, banishment, a shameful brand. Within, the deep and sacred love for which she was suffering martyrdom,—for her crime was thus sanctified in her own apprehension,—was turned into a store of perplexity, distrust, and madness, which darkened all her heavens. Little Pearl was a token more scarlet than the scarlet letter of her guilt; for the child, with a birth presided over by the most intense conflict of love and fear in the mother's heart, nourished at a breast swelling with anguish, and surrounded with burning marks of its mother's shame in its daily life, developed day by day into a void little demon perched upon the most sacred horn of the mother's altar. Even this child, whose young, plastic nature caught the impress which surrounding circumstances most naturally gave, bewildered and maddened her. The pledge of love which God had given her, seemed perverted into an emblem of hate. And yet how patiently and courageously she labored on, bearing her burthen the more firmly, because, in its infliction, she recognized no higher hand than that of civil authority! In her earnest appeal to be allowed to retain her child, she swept away all external influences, and seems to have inspired the young clergyman, even now fainting with his own sense of meaner guilt, to speak words of truth, which in those days must have seemed born of heaven.

"There is truth in what she says," began the minister, with a voice sweet, tremulous, but powerful, insomuch that the hall reëchoed, and the hollow armor rung with it, "truth in what Hester says, and in the feeling which inspired her! God gave her the child, and gave her, too, an instinctive knowledge of its nature and requirements, both seemingly so peculiar, which no other mortal being can possess; and, moreover, is there not a quality of awful sacredness in the relation between this mother and this child?"

"Ay! how is that, good Master Dimmesdale?" interrupted the governor. "Make that plain, I pray you!"

"It must be even so," resumed the minister; "for, if we deem it otherwise, do we not thereby say that the Heavenly Father, the Creator of all flesh, hath lightly recognized a deed of sin, and made of no account the distinction between unhallowed lust and holy love? This child of its father's guilt and its mother's shame hath come from the hand of God, to work in many ways upon her heart who pleads so earnestly, and with such bitterness of spirit, the right to keep her. It was meant for a blessing, for the one blessing of her life. It was meant doubtless, as the mother

herself hath told us, for a retribution also, a torture to be felt at many an unthought-of moment; a pang, a sting, an ever-recurring agony, in the midst of troubled joy! Hath she not expressed this thought in the garb of the poor child, so forcibly reminding us of that red symbol which sears her bosom?"

"Well said, again," cried good Mr. Wilson. "I feared the woman had no better thought than to make a mountebank of her child!"

"Oh, not so! not so!" continued Mr. Dimmesdale. "She recognizes, believe me, the solemn miracle which God hath wrought, in the existence of that child. And may she feel too, what methinks is very truth, that this boon was meant, above all things else, to keep the mother's soul alive, and to preserve her from blacker depths of sin, into which Satan might else have sought to plunge her! Therefore it is good for this poor, sinful woman that she hath an infant immortality, a being, capable of eternal joy or sorrow, confided to her care, to be trained up by her to righteousness, to remind her every moment of her fall, but yet to teach her, as it were by the Creator's sacred pledge, *that if she bring the child to heaven, the child also will bring its parent thither!* Herein is the sinful mother happier than the sinful father. For Hester Prynne's sake, then, and no less for the poor child's sake, let us leave them as Providence hath seen fit to place them."

Her social ignominy forced her back upon the true basis of her life. She alone, of all the world, knew the length and breadth of her own secret. Her lawful husband no more pretended to hold a claim, which may always have been a pretence; the father of her child, her own relation to both, and the tragic life which was going on beneath that surface which all men saw, were known to her alone. How poor and miserable must have seemed the punishment which society had inflicted! The scarlet letter was a poor type of the awful truth which she carried within her heart. Without deceit before the world, she stands forth the most heroic person in all that drama. When, from the platform of shame, she bade farewell to that world, she retired to a holier, and sought for such peace as a soul cast out by men may always find. This was her right. No lie hung over her head. Society had heard her story, and had done its worst. And while Arthur Dimmesdale, cherished in the arms of that society which he had outraged, glossing his life with a false coloring which made it beautiful to all beholders, was dying of an inward anguish, Hester stood upon her true ground, denied by

this world, and learning that true wisdom which comes through honesty and self-justification. In casting her out, the world had torn from her all the support of its dogmatic teachings, with which it sustains its disciples in their inevitable sufferings, and had compelled her to rely upon that great religious truth which flows instinctively around a life of agony, with its daring freedom. How far behind her in moral and religious excellence was the accredited religious teacher, who was her companion in guilt! Each day which bound her closer and closer to that heaven which was now her only home, drove him farther and farther from the spiritual world, whose glories he so fervently taught others.

It is no pleasant matter to contemplate what is called the guilt of this woman; but it may be instructive, nevertheless. We naturally shrink from any apparent violation of virtue and chastity, and are very ready to forget, in our eager condemnation, how much that is beautiful and holy may be involved in it. We forget that what society calls chastity is often far the reverse, and that a violation of this perverted virtue may be a sad, sorrowful, and tearful beauty, which we would silently and reverently contemplate, — silently, lest a harsh word of the law wound our hearts, — reverently, as we would listen to the fervent prayer. While we dread that moral hardness which would allow a human being to be wrecked in a storm of passion, let us not be unmindful of the holy love which may *long and pray for its development*. Man's heart recognizes this, whether society will or not. The struggle and the sacrifice which the latter calls a crime, the former receives as an exhilarating air of virtue. It is this recognition which taught the rude and gentle humanity of John Browdie to offer such kind words to his loving, and, as he thought, erring Dot, all out of his great and natural heart. It is this recognition which brought forth the words, "Neither do I condemn thee." And it is only when we harden our hearts to a capacity for receiving the utmost rigor of the law, and render them cold, keen, and glittering, by the formularies of social virtue, that we are ready to cast out the sinner. Properly attuned, we look earnestly into his life, in search of that *hidden virtue, which his crime may stand pointing at*.

We would not condemn the vigilance and sensitiveness of society, were it really a tribute paid to the true sanctity of virtue. But is there no deeper sense, which wears out a life of martyrdom in obedience to the demands of the world? Is

there no suffering which goes unrecognized, because it interferes with no avowed rights? Is there no violation of social law more radical and threatening than any wayward act of passion can be? It may be necessary, perhaps, that the safety of associated man demands all the compromises which the superficiality of social law creates, but the sorrow may be none the less acute because the evil is necessary. We see in the lives of Arthur Dimmesdale and Hester Prynne, that the severity of puritanic law and morals could not keep them from violation; and we see, too, that this very severity drove them both into a state of moral insanity. And does any benefit arise from such a sacrifice? Not a gentle word, or look, or thought, met those two erring mortals. Revenge embittered the heart of the old outraged usurper. Severity — blasting, and unforgiving, and sanctimonious — was the social atmosphere which surrounded them. We doubt not that, to many minds, this severity constitutes the saving virtue of the book. But it is always with a fearful sacrifice of all the gentler feelings of the breast, of all the most comprehensive humanity, of all the most delicate affections and appreciations, that we thus rudely shut out the wanderer from us; especially when the path of error leads through the land whence come our warmest and tenderest influences. We gain nothing by this hardness, except a capability to sin without remorse. The elements of character upon which vice and virtue hang are so nearly allied, that the rude attempts to destroy the one may result in a fatal wounding of the other; the harvest separates the tares from the wheat with the only safety. Who has not felt the forbidding aspect of that obtrusive and complacent virtue which never cherishes the thought of forgiveness? And who, that has recognized the deep and holy meaning of the human affections, has not been frozen into demanding a warm-hearted crime as a relief for the cold, false, vulgar, and cowardly asperity which is sometimes called chastity?

The father, the mother, and the child, in this picture, — the holy trinity of love, — what had the world done for them? And so they waited for the divine developments of an hereafter. Can this be a true and earnest assurance that we may hope for the best development there? This imaginary tale of wrong, is but a shadow of the realities which daily occur around us. The opportunities for opening our hearts to the gentle teachings of tender error and crushed virtue, lie all along our pathway, and we pass by on the other side. Not a sig-

nificant deed, to which the purest virtues cling in clusters, has yet been committed, that society has not resisted with the ferocity of a tyrant. Not a word has been spoken for the captive, the wounded, the erring and the oppressed, that has not met with "religious" opposition. Not the first line of that picture, which would represent error in its alliance with virtue, has yet been drawn, that has not been stigmatized as immoral.

To those who would gladly learn the confidence, and power, and patient endurance, and depth of hallowed fervor, which love can create in the human heart, we would present the life of this woman, in her long hours of suffering and loneliness, made sweeter than all the world beside, by the cause in which she suffered. We dare not call that a wicked perversity, which brought its possessor into that state of strong and fiery resolution and elevation, which enabled her to raise her lover from his craven sense of guilt, into a solemn devotion to his better nature. She guided him rightly, by her clear vision of what was in accordance with the holiest promptings of her true heart. Aided by this, she learned what all his theology had never taught him — the power of love to sustain and guide and teach the soul. This bore her through her trial; and this, at that glowing hour when both rose above the weight which bowed them down, tore the scarlet letter from her breast, and made her young and pure again.

"The stigma gone, Hester heaved a long, deep sigh, in which the burden of shame and anguish departed from her spirit. O, exquisite relief! She had not known the weight, till she felt the freedom. By another impulse, she took off the formal cap that confined her hair, and down it fell upon her shoulders, dark and rich, with at once a shadow and a light, in its abundance, and imparting the charm of softness to her features. There played around her mouth, and beamed out of her eyes, a radiant and tender smile, that seemed gushing from the very heart of womanhood. A crimson flush was glowing on her cheek, that had long been so pale. Her sex, her youth, and the whole richness of her beauty, came back from what men call the irrevocable past, and clustered themselves, with her maiden hope, and a happiness before unknown, within the magic circle of this hour. And, as if the gloom of the earth and sky had been but the effluence of these two mortal hearts, it vanished with their sorrow. All at once, as with a sudden smile of heaven, forth burst the sunshine, pouring a very flood into the obscure forest, gladdening each green leaf, transmuting the yellow-fallen ones to gold, and gleaming adown

the gray trunks of the solemn trees. The objects that had made a shadow hitherto, embodied the brightness now. The course of the little brook might be traced by its merry gleam afar into the wood's heart of mystery, which had become a mystery of joy."

The ecstasy of Murillo's conceptions, the calm, solemn maternity of Raphael's madonnas, the sterling wealth of beauty in Titian's Magdalens, and the appealing and teaching heart of woman, in all these, come crowding before us, as we rise with Hester to this holy exaltation.

The wisdom and power which came to this woman from the scarlet letter, which society imprinted on her breast, may come to every one who will honestly affix this token to his own. As who of us may not? It is only an open confession of our weakness which brings us strength. The flattering self-assurance that we pursue virtue with conscientious diligence, never enables us to reach what we are striving for. We may perchance escape the dangers which beset our path, but never, through ignorance, shall we overcome the obstacles. There is no more fatal error than moral ignorance and hypocrisy. Bigotry, and superstition, and dogmatism may coil around the mind, until intellectual imperiousness springs up, more pitiful than the most abject ignorance, and the instincts of the heart will almost always be found to protest against them. Moral obliquity may misguide the senses, and the effect is temporary and superficial. Social influences may produce the grossest misconceptions, and, as the circle enlarges, the magic may vanish. But that cowardice which prompts to the denial of error to one's own soul; which refuses to receive the impression that all experience brings, with honesty and intelligence, and, intrenched behind good intentions, feels safe from attacks of sin, is the most hopeless of all mortal defects. There is a false delicacy which avoids the contemplation of evil, and which severe experience may destroy. There is a sweeping belief that vice stands at one pole and virtue at the other, which the deep trials of life may eradicate. There is a want of sympathy for the erring, and an ignorant closing of the heart against those whose entrance would enlarge and beautify and warm our souls, which the knowledge of our own temptations may remove. But no experience, no knowledge, no power, short of miracle, will bring the needed relief to that spirit which will not confess its guilt either to itself, or to its God. The heroic power which comes through avowal, is like the soft and vernal earth, giving life to a sweet

and flowery growth of virtues. It gives self-knowledge, and the deepest and most startling wisdom, by which to test our fellow-men. But is it not most sad and most instructive that Love, the great parent of all power and virtue and wisdom and faith, the guardian of the tree of knowledge of good and evil, the effulgence of all that is rich and generous and luxuriant in nature, should rise up in society to be typified by the strange features of "The Scarlet Letter?"

---

ART. IV.—*Lake Superior: its Physical Character, Vegetation, and Animals, compared with those of other and similar Regions, with a Narrative of the Tour*, by J. ELIOT CABOT, and *Contributions by other scientific gentlemen. Elegantly illustrated.* By LOUIS AGASSIZ, &c., &c. Boston: Gould, Kendall, and Lincoln. 1850.

OUR present concern is with that portion of the work furnished by M. Lesquereux, comprised in fifty-three pages, and constituting a valuable addition to our knowledge of the North American flora. A large proportion of this is taken up by catalogues of the plants observed, accompanied also by many interesting foot-notes. We consider all such local catalogues of either the flora or the fauna of any particular section of any country as far more useful than a hasty reader would be apt to regard them. It is true that they are often, so far as names are concerned, merely a repetition of scientific names; still, there are other considerations connected with them which claim attention: such as ascertaining with precision, not so much, perhaps, in every instance, the limits of vegetation, as the soils, or the *habitats*, in which such vegetation is found to thrive. Every aspect of nature points to some other connecting phenomenon, and nothing, therefore, in which science employs itself can be looked upon as valueless. We have presented to us, in these pages, to which we have alluded, what we have reason to think a faithful record of the phanogamous and cryptogamous plants, noticed on a tour to some of the most peculiar and romantic regions of this continent; a record based on a scrutinizing examination of facts presented, and on a plan which also exhibits both strict minuteness and generalization.

Every region of the earth has been found to possess its own peculiar animals and plants. So remarkable is this fact that, in portions of continents, and even in narrower areas, the physical character of those regions seems to determine the structure of such organized beings. Before these natural productions were carefully and even anatomically studied, the fauna and flora of distinct and even widely separated regions, were thought to be really identical. Plants, the most familiar to our eyes, blooming, on the return of spring, near our dwellings, but in native localities — the bold *Hepatica*, with its blue petals expanding under the few genial, sunny days of April; the roseate Windflower, timidly raising itself above the dead and dry leaves of a former summer's glory, which, scattered on the ground beneath the proud trees that bore them with honor, have protected it in their sheltering bosoms during a long and silent winter, and many such floral gems beside,— are so similar in aspect and exterior guise to their co-species in European floras, as to have been considered identical, until more careful inspection indicated a distinction. As we rise, or as we descend the series of vegetation, we find stronger or less strong proofs of this assertion. Of the cryptogames, their habits are more cosmopolitan, and, as yet, so far as we can perceive, many of them seem identical, all the world over. Some of these are, indeed, almost ubiquitous; and, sustained mostly by atmospheric conditions, are aërial in their mode of nutriment, and, like the winged denizens of the atmosphere, seem to ask for no fixed habitation, but have the widest range, affecting no particular zone.

Various causes have been assigned to account for this peculiarity and this diversity, and among these, many natural phenomena, all comprised under the general term of climate. A review of these is made by the author, and many interesting facts adduced. He considers the influence of temperature; the power of heat upon vegetation; the periodical opening, upon its approach, of myriads of forms of flowers and plants. Yet increase of temperature is affected by other agents; and in countries where the summer temperature may be very great, but following very long and severe winters, the character of the flora is altogether dissimilar to that of those countries in which the mean heat is the same, but under different conditions of the atmosphere. Heat, however, is not the only essential to vegetation, for we shall find, under excessive degrees of a heated atmosphere, a cessation of all vegetable



vigor, a condition from which not even the trees and plants of temperate regions artificially introduced can escape, and while such heat continues they remain as leafless and dormant, and as much in a periodical rest, as the native plants around them. At the Cape of Good Hope, according to the observations of Sir John Herschel and others, the earth, some inches beneath the surface, becomes heated to the extraordinary degree of 159° Fahr., and baked to a like extraordinary hardness; yet, immersed in this indurated and heated soil, are to be found forms of vegetable life full of vigor, and prepared for renewed energy when a more moderate condition of the atmosphere shall succeed. The other essential requisite then is moisture; when, on its occurrence, new changes in the tissue and internal organization of plants take place; and, wherever we find these two elements most happily combined, nothing, it is said, can exceed the luxuriance of vegetation.

The adaptation of plants to the variety of modifications of these two all-important conditions is singularly marked and beautiful, as seen in the changes which take place in the scanty flora of arctic regions, on the approach of vernal heats, at those extreme boundaries of phanogamous vegetation. And on the return of moisture, after long periods of intense solar heat, on the other extreme limits. Every form of plant, from lichen to lily, from moss to tree and shrub, greets with its pleasantest aspect this refreshing stimulus to life and activity. During our occasional mild and rainy winters, we can notice, in every rock-crevice, and over our barren pastures, the native musci, protruding their delicate points, destined to ripen into seed-vessels, or else suddenly reviving in ever-renewed yet perennial beauty; a denial, meanwhile, that "winter shuts the scene." At low conditions of temperature, the cryptogames of temperate zones, in many families of these plants, seem to thrive best; a rule which probably obtains wherever such tribes of plants may be found.

Nor do heat and moisture, alone, modify the character of the flora of a region, but particular species affect particular districts of the earth, in the ratio that such heat or such moisture is distributed. We have noticed in what manner the periodical return of rains, and their equally periodical absence, influence vegetation, as at Cape Good Hope; in like manner, frequent falls of rain, or great quantities of moisture in the form of snow, each indicates the style of vegetation in regions where these elements obtain. Nor do we find that it requires

any remarkable strength of constitution, nor a certain robustness in particular plants to adapt themselves to climates which are for months together under the dominion of cold ; on the contrary, protected by deep snows, it is the most delicate forms which enliven the Alpine regions during the brief summers that follow such intensity of frost as must reign there supreme.

Heat and moisture being essential to vegetation, the influence of light is to be considered as somewhat secondary, though its presence, in the majority of cases, is also essential. Some fungi, representing, on the one hand, the highest forms of cryptogamic life, and, on the other, certain algæ, which are not the lowest in the scale of vegetation, are capable of perfect development, even to the acquiring of brilliant tints and colors, under conditions unfavorable to the presence of light. And many plants of a higher grade will not endure the direct light in which most vegetables grow, and which they even require. So that, while climate may have a wide signification, and may embrace a variety of natural phenomena, the presence and variation of heat and moisture principally regulate the conditions of the vegetable kingdom.

In order, however, as it were, to do ample justice to all the agencies which produce peculiarities of organized life, M. Lesquereux elaborates several other conditions ; of which he considers atmospheric pressure as having only a very subordinate influence on vegetation. He thinks, however, that he discovers a difference between Alpine plants, for instance, under a less degree of pressure, and those of high northern latitudes, which, although not identical, yet are similar ; it appears "in the volatile fragrance of the Alpine species, which adds so much to the sweet and soothing influence of mountain rambles." This reduced atmospheric pressure, can not, he thinks, account for the peculiarities of their forms ; for their woolly and warm covering, their thickened juice, or coriaceous juices, indicate the power of deriving much of their sustenance from the atmosphere ; but,

"The fact that many plants, of the highest summits, live very well at the foot of the glaciers which descend into the lower valleys, would seem to show that atmospheric pressure has only a limited influence upon Alpine plants ; but the moment we have satisfied ourselves that the most fragrant of these species never prosper below, we must admit that the relation between fragrance and atmospheric pressure, to which I have alluded above, is well sustained."— P. 139, *note*.

The author conceives that, however intense other causes may be, even when most uniform, the chemical nature of the soil acts, perhaps, as powerfully as any other agent. The adaptation of certain natural soils to the various cultivated grains, seems to indicate this fact; and the fact that such soils are artificially prepared to facilitate the growth of varieties of grain certainly seems to bear us out in this view. This statement, applied to most plants, will not be found to be true, as it is well known that the cultivated plants, in familiar use, are denizens of widely separated regions of the globe, and yet grow side by side, in soil essentially distinct from that of their own climes. But, while much allowance is therefore to be made, on this score, we find in the lower series of vegetable life how singularly the cryptogams affect particular situations.

"The mosses may be readily grouped according to the localities where they live. The *Orthotrichæ* occur, almost exclusively, upon the bark of trees, and upon granite and limestone; the *Phascacæ* inhabit clayey soils, with the *Gymnostomeæ*, *Potticæ*, *Fumaricæ*, and some *Weissicæ*. The *Sphagneæ* occur only in peat-bogs, or in waters charged with ulmic acid; the *Splachneæ* generally upon animal substances, in decomposition; the *Grimmiæ* upon granitic rocks; whilst the greatest number of the *Hypnum*s and *Dicranum*s cover large surfaces of rotten vegetables. And, if we take into consideration the modifications which temperature introduces in the habitation of some mosses, we are enabled to account even for the cosmopolitism of some species which, like the *Bryum*s, would seem to be less influenced than others by the nature of the soil upon which they grow.

"The examination of the lichens, which attach themselves, commonly, to the surface of woods and rocks, leads to conclusions still more striking. Some species live exclusively upon limestone; others upon mica schist; others, upon various kinds of granite; and others, finally, upon certain species of trees, or other vegetables. The analysis of the substances upon which lichens live, has, if not completely explained, at least led to the understanding of the causes of the remarkable distribution of these plants."—P. 140, *note*.

Yet one other element affecting climate, that of electricity, is to be taken into consideration, as promotive of intensity of vegetation.

Still wider and grander considerations, among other natural phenomena, are to be noticed, which materially decide the character of a country's fauna and flora. The form of continents, the direction of mountain chains, the prevalence of wide-

extended plains, and the presence of sheets of water, should not be overlooked. The manner in which seeds of plants are distributed, not only by their winged appendages, through the agency of the winds, but by the course of rivers, on whose waters they are borne, and by ocean currents, which, washing distant coasts, deposit their burdens at wide intervals, and in distant zones, determines the character and fixes the vegetation of shores of continents, and peoples with vegetable and perhaps with some forms of animal life distinct and distant islands. Besides these, where identity exists at such distances, the character of oceans and seas may affect entirely the flora of other islands, so as to exhibit an entirely different character, even in latitudes parallel with those of inland plains. Every one knows what influence the presence of extensive sheets of water has, in modifying the temperature of its immediate shores, permitting the culture of tender plants under aspects which would otherwise prove unfavorable. So, likewise, the range and direction of high mountain chains, must determine the character of natural productions, as they permit or deny the passage of cold winds from regions beyond them.

"It is obvious, for instance, that a mountain chain, like the Alps, running from east to west, and thus forming a barrier between the colder region, northwards, and the warmer, southwards, will have a tendency to lower the temperature of the northern plains, and to increase that of the southern, below or above the mean which such localities would otherwise present; while the influence of a chain running north and south, like the Rocky Mountains, and the Andes, will be quite the reverse, and tend to increase the natural differences between the eastern and western shores of the continent, and, laying open the north to southern influences, renders its climate excessive; that is, its summer warmer, and its winter colder."—P. 141.

The natural phenomena, which constitute climate, indicate, it is asserted, a certain progress in their action, by the observance of which the character of the natural productions of any region can be surmised. Thus, in regard to floral regions that are wide apart, a certain elevation above sea level, and certain degrees of latitude, will exhibit similarity. Through this general agreement, an Alpine or sub-Alpine character may obtain in northern latitudes; and, at certain heights of mountains, in a very much lower latitude, may be found the flora of a higher latitude. The plants of the summit of our White Mountains, in New Hampshire, represent the flora of Lapland; and in the

regions of perpetual snows on mountains near the equator, we find a flora similar to that of the northern countries towards the pole ; so that vegetation, in both regions, naturally exhibits a most uniform character.

The striking exceptions to this general rule and seeming plan compel us, however, to be cautious, as we are advised by M. Lesquereux, about admitting climatic influences as the reasons for the distribution of organized beings. Certain plants, as the *Cerastium latifolium* and *Ranunculus glacialis*, occur in the Alps, as high as ten and even eleven thousand feet above the level of the sea, notwithstanding the usual limit of vegetation is there indicated at about eight thousand and five hundred feet ; nor does the limit of forest growths, round the arctic circle, coincide with either the isothermal line of 32° Fahrenheit, or with the astronomical limits of the arctic zone. So, likewise, we are assured that the eastern and western countries, within the same continent, show similar differences, even when the climatic circumstances are the same ; and that the same latitudes of northern and southern hemispheres have, essentially, distinct floras and faunas, as seen in the cacti and magnolias of America, or in the strange animals of New Holland ; so that we are persuaded that climate does not account for all those peculiarities in each of these kingdoms of nature, for whose explanation we have called in its aid.

The author, from these considerations, impresses upon his readers his own convictions of the design of creation as evincing the expression of a thought, and warns us of confounding a mediate agency with an original cause. He adduces, as an instance of thoughtful adaptation, the repetition of similar animals and plants all over the world, and notices the fitness of an ancient condition of beings with the progressive order of this earth.

It might be easily premised, judging from the peculiarities of the surface of North America, so diversified by its mountain chains, by its vast deserts, its lakes of fresh water of great expanse, by its varied sea-coast, and its ocean-barriers, that a very diversified vegetation would present itself, if geographical characteristics were considered. On comparing this vegetation with that of other countries, M. Lesquereux arrives at some remarkable conclusions. He notices particularly the vegetation of the temperate and colder parts of North America, comparing it with that of the elevated regions of central

Europe. In doing so, he confines himself to the forest vegetation, more particularly, as this kind represents more fairly that of northern temperate regions. A few families of trees constitute the entire forest growth, and the uniformity of such forests, over that zone in the old and new world, is very striking. The *Coniferæ* and *Amentaceæ* predominate. Their distribution is marked; for, as we advance farther north, the pines exclude at last all other trees. In the warmer portions of the temperate zone, the pines are mixed with amentaceous trees, as the birches and walnuts, and also with the lindens and maples, and many other species. So likewise the northern forests are more continuous in this respect, unlike those of the warmer climates in the temperate zone, where may be found several species of shrubs and plants alternating with them. In this arrangement may be seen a remarkable coincidence with that of mountainous districts, especially of the Alps. We notice here a certain series so decided that the author looks upon it as indicating a positive and universal law. A detailed comparison of the northern and the Alpine vegetation will show that they agree, and that, under similar circumstances in different parts of the old and new worlds, there are corresponding species following each other in the same succession from north to south, from plains to mountain summits, "modified only by those influences which constitute the contrasting peculiarities of the eastern and western shores of America, Europe, and Asia." This correspondence and divergence is exhibited in the tabular view presented in the catalogues alluded to in the beginning of this article. By comparing, however, the Alpine vegetation with that of the temperate northern regions of this country, M. Lesquereux discovers that the aspect of such vegetation greatly differs. Notwithstanding the correspondence of species in both, there is yet a great monotony in extensive tracts of our northern forests, so unlike the rapid and highly diversified vegetation of the Alps.

There is a distinctive aspect presented also in the vegetation of the eastern and western shores of continents. Thus the Atlantic and Pacific coasts, of temperate zones in America, are not clothed with the same families of trees; the walnuts are oftener met with in the eastern than in the western forests, and they even thrive here in latitudes where in Europe, there is only one naturalized species growing wild. These and similar examples serve to confirm M. Lesquereux in his opinion that, notwithstanding there may exist a correlation between

climate and vegetation, still, climate and its influences do not produce these differences, inasmuch

“As they are repeated under the same isothermal lines, between the eastern and western shores of the old world, in the same order as along the eastern and western shores of North America; so much so, that the northern Chinese and Japanese vegetation coincides very closely with that of the Atlantic States, whilst that of the Pacific coasts of America and that of Europe agree more extensively.”—P. 150.

By a comparison of the present living vegetation of the eastern portion of North America with the tertiary fossil plants, those of Eningen, for instance, an unexpected and extraordinary development is presented, namely: that our flora and that of Japan have a more ancient character than that of Europe and western North America. We have been accustomed, all our lifetime, to see, in our shagbarks, honeylocusts, &c., so familiar to our scenery, the living types of an ancient flora, bearing an old-fashioned aspect, agreeing, indeed, as we are informed, with the geological character of this region in which we reside, so that we have been actually living on land of antique birth, which was of a respectable age long before other countries had been raised above the level of the sea. The mean annual temperature of the miocene period, it is thought, could be easily calculated from this hint on the part of our flora, derived from the character of our trees and shrubs. Thus also it is plain how dependent on the physical condition of any country are the organized beings which are found in its area; and how, through incalculable ages, the general features of animals and plants are preserved in every new creation, to show that nature is ever true to herself in repeating, under modifications and differences, the results of the same universal laws!

We beg leave to refer, once more, to the catalogues of the species of plants which were observed by some of the party which accompanied Professor Agassiz, and which were collected on the northern shores of the lake. It would appear that the flora of these shores closely agrees with that of the higher tracts of the Jura, and may be considered, in its character, as really sub-Alpine; so much so, indeed, that, in many instances, the species are pronounced identical. The lists of phanogamous plants are under four heads:—

“The first, containing such plants as are really sub-Alpine in their character, or correspond to those of the forests of the lower

Alps. In this list, only such plants are introduced as have true representatives in Central Europe. The second, containing the plants of the lake, proper, or the aquatic plants; the third comprising the plants purely American; and the fourth the cosmopolitan plants, or those which extend beyond the sub-Alpine region." — P. 152, and notes.

In examining these lists, we notice some peculiarities; as, for instance, the occurrence of plants in this sub-Alpine region, which belong, also, to more southern regions: such extensive ranges of particular plants are attributed to the general direction of our mountain chains, and to the form of the American continent, which allow both animals and plants, peculiar to arctic and temperate zones, to extend to considerable distances beyond. Again, the absence of species of the *Caryophyllaceæ*, is accounted for by the observed fact that, although abundant in the Alpine districts of Europe, yet they belong both to Alpine regions and to plains, and are not at home in intermediate or sub-Alpine regions. No species of *Malvaceæ*, nor of families intervening between them and the *Leguminosæ*, are represented about Lake Superior; the former belong to warm countries, and the latter, like the *Caryophyllaceæ*, are either plants of higher regions, or else are to be found in the lower plains. Of plants representing the *Ericaceæ*, several beautiful forms, as seen about the lake, are determined to be the same as those of Europe; a group, indeed, more homogeneous than any other in its distribution, affecting the pine forests, and following them to more or less elevated spots. With few exceptions, the *Amentaceæ* about Lake Superior are represented as the same as the European; while the resemblance of the *Coniferae* (pines) is so striking as to require the eye of the botanist to be satisfied that they are only corresponding species.

We have already noticed the ubiquitous character of the cryptogams; so identical are the species of *equisetaceæ*, ferns, and *lycopodiaceæ*, observed by the party, with those of the sub-Alpine regions of Europe, that, with the same observations applied to the mosses, lichens, and *hepaticæ*, no parallel list was deemed necessary; the specific conditions of their occurrence in the Jura being merely noted.

Some new species of plants were detected, of which mention is made of a beautiful corallorhiza, first discovered by Macrae, in West Canada; and several new species and varieties of lichens, as brought to light through the study of the collection, by Mr. Edward Tuckerman, whose extensive knowl-



edge, and whose scientific acumen, in this particular department of botany, are well known.

To render complete this comparative view of the vegetation with that of the Jura and the Alps, M. Lesquereux institutes a special comparison of the distribution of trees and other plants found in each. The series of vegetation on the sides and slopes of mountains are defined with such an accuracy as to enable us to divide them into belts or zones. As the tourist ascends mountain heights, he will notice the disappearance of certain species and the appearance of others, until, by degrees, he is introduced to a style of vegetation entirely distinct from any thing he has before seen. If these features should be represented upon a wide surface of country, it would be found necessary to pass over many parallels of latitude. Such a comparison being attempted, it places at the 40° north latitude that zone of vegetation which, in this country, corresponds with the upper limit of the culture of the vine in the Jura. Above this, at an elevation of from sixteen hundred to seventeen hundred feet, begins the region of oaks and of shrubs, represented by our forest-trees and shrubs, so well described by Mr. Emerson, in his "Report on the Forest Trees of Massachusetts." As we travel towards the degrees of latitude where the St. Lawrence bends towards the north-east, we shall find great changes in the growth of trees. Along the northern shores of Lake Ontario, for instance, the hickories, the chestnut, the buttonwood, the white-oak, and the sassafras, begin to disappear. At the height of two thousand feet, in the Jura, and above the region of the oaks, is a narrow region characterized particularly by one or two species of trees, and interspersed with a great variety of ornamental shrubs. Above this elevation, and to three thousand five hundred feet altitude, the beech flourishes; while from the line of the beech to four thousand five hundred feet in the Jura, and to six thousand feet in the Alps, may be seen the region of the pines, or coniferæ, which is represented by the forest growth about Mackinaw, where the canoe-birch, black ash, balsam fir, white spruce, black spruce, American larch, white pine, mountain ash, (sorbus,) poplars, and low shrubs entirely obtain. The northernmost point visited by Professor Agassiz was Nipigon Bay, latitude 49°, where the pine forests prevailed, with occasional instances of ash, maple, and sorbus, a region still within the limits of a sub-Alpine vegetation.

From an inspection of the plants growing on the summit of

a mountain, upon St. Ignace Island, rising one thousand feet above the level of the lake, no difference could be perceived which such altitude made in the character of the flora, from that seen on the shores. This seeming anomaly is attributed to the influence which such an extensive sheet of water, as Lake Superior is, would have upon the temperature about its precipitous shores, and also upon considerable altitudes in its vicinity. Such an exception is thought of not sufficient importance to invalidate the laws of the geographical distribution of plants; and by a cursory view of the distribution of the plants of the White Mountains, of New Hampshire, where the climate of their slopes is removed from any such disturbing agency, the zones of vegetation are well marked. Thus already, at the head waters of the Connecticut, an alteration in the aspect of the forests is to be seen; while at fifteen hundred feet above the sea, the oaks disappear, to be succeeded, in a large proportion, by the pines; still higher, at forty-three hundred and fifty feet, the spruces and birches, which compose the vegetation, have become mere shrubs. Above this level the forests cease, and plants, reminding one of the flora of Greenland, and which grow, also, on the northern shores of Lake Superior, are now met with; while at the summit itself, at the height of six thousand two hundred and eighty feet, are found the representatives of the climate of Labrador.

We have thus sketched the principal features of the portion of this work of Professor Agassiz, which is devoted to botanical considerations, regarding it as an interesting and valuable document. Nor would we omit to notice the list of foreign naturalized plants, found growing between Boston and Salem, as presenting some curious facts. The list is a large one, and it shows how dispersive are certain vegetables, how attendant on the footsteps of man. Wherever he has trod, and carried with him the arts of life, flowers have sprung up around his footsteps. Would they were emblems of his mission, everywhere on the earth's surface, in the highest cause of humanity! Along the highways, and over the cultivated fields of peaceful agriculture, and beside the iron tracks of commercial intercourse, where they suddenly appear, coming from afar to designate his presence, may they typify that garland of fraternity and of common interest which shall encircle all mankind in one bond of brotherhood.

# ART. V.—SOME THOUGHTS ON THE DIFFERENT OPINIONS IN THE NEW TESTAMENT RELATIVE TO THE PERSONALITY OF JESUS.

I. LET us first ascertain the opinion prevalent in the lifetime of Jesus himself, as the basis of our inquiry. It appears from the New Testament that the contemporaries of Jesus regarded him as the son of Joseph and Mary, (Matt. 13 : 55, Luke 4 : 22, John 6 : 42.) His brothers and sisters also are mentioned, (*οἱ ἀδελφοὶ αὐτοῦ*), and Jesus is called the first-born son of Mary, (*τὸν πρωτότοκον*), in some manuscripts, and the common editions, (Matt. 1 : 25.) In the third gospel, the author calls Joseph and Mary his parents, (*οἱ γονεῖς αὐτοῦ*), and Mary herself is represented as calling Joseph his father. In the fourth gospel, Philip speaks of Jesus as the son of Joseph of Nazareth, (John 1 : 45.)

The genealogies still preserved, in the first and third gospel, in curious contradiction to his divine origin, proceed on the supposition that Jesus had two human parents,—a mortal father, as well as a mortal mother. So, on the side of his father, his descent is traced back to Abraham in the one author, and to Adam in the other.

The Ebionites, who were the primitive Christians, it seems always adhered to the opinion that Jesus was a man, born and begotten in the common way, selected and anointed, and so becoming the Christ, not by his birth, but his selection and inspiration. It seems highly probable that this was the opinion of the earliest church at Jerusalem.\*

It seems that the celebrated Gospel according to the Hebrews, regarded Jesus as a man born after the common way, and made his divinity commence only with the baptism by John ; for after the descent of the Holy Spirit it is stated, "There came a voice out of heaven and said, 'Thou art my beloved Son, *this day have I begotten thee.*'" Justin found this passage in the Memoirs of the Apostles extant in his time,† and it is still preserved, with many other curious and instructive

---

\* See Justin Martyr, *Dial. cum Tryphone*, cap. 49, (Opp. ed. Otto, Tom. II. p. 156,) and Eusebius, *H. E. Lib. III.*, 27 (ed. Heinichen, Tom. I. p. 252.) See also Schwegler, *Nachapostolische Zeitalter*, (Tübingen, 1846, 2 vols. 8vo.) B. I. p. 90, *et seq.*

† *Dial. cum Tryphone*, cap. 88. (Tom. II. p. 306.) See too Epiphanius *Hæres. xxx.* 13, and Schwegler, *l. c.* B. I. p. 197, *et seq.*

readings, in the celebrated Cambridge manuscript, the *Codex Bezae*, (Luke 3: 22.)

These monuments very plainly refer us to a period when it may reasonably be supposed that the prevalent opinion among the followers of Jesus was, that he was a man born after the common way, of two human parents, and subsequently became the Christ, the Hebrew Messiah. This is the nature and this the office assigned him. Such is the basis on which successive deposits of speculation have been made and continue to be made. It is no part of our present concern to determine what the Christians at first thought of his history, of his miracles, and of his resurrection, for we limit our inquiry to the nature and office of Jesus.

II. In the first and third gospels, as they now stand in manuscripts and editions, it is taught that Jesus was the son of Mary and a holy spirit, (Matt. 1: 18, and Luke 1: 35, it is in both cases *πνεῦμα ἅγιον*, not *τὸ ἅγιον πνεῦμα*.) He was miraculously born, with no human father. He is also the Christ, the Hebrew Messiah, predicted in the Old Testament. He is called the Son of God, (*ὁ υἱὸς τοῦ Θεοῦ*.) He is endowed with miraculous powers, is transfigured, returns to life after his crucifixion, and is to come back yet once more. Such is the highest office, and such is the highest nature assigned him in the first and third gospel.

There is, however, one curious passage in Matth. 11: 27, and Luke 10: 22, in which Jesus is represented as saying, "All things are delivered to me by my Father, and no one knows who is the Son, except the Father, and who is the Father, except the Son, and he to whom the Son is pleased to reveal him." This passage may possibly mean only that Jesus is the complete possessor of his Messianic powers, and he alone knows who is the Messiah, and alone understands the character of God. But to us it seems to have a different meaning, and to stand in plain contradiction to the general notion of Jesus entertained in these two gospels. It will presently appear to what a different class of speculations this verse seems to belong.

The second gospel calls Jesus a son of God, (*υἱὸς Θεοῦ*, not *ὁ υἱός*, except 3: 11, &c., where uninformed persons speak,) but is not quite so definite in its statements as the two other gospels already referred to; but it does not seem probable that the author designed to set forth a distinct theory of the nature and office of Christ peculiar to himself, only to avoid difficul-

ties by silence. The omission of the miraculous birth of Jesus, however, is characteristic of the third gospel, which often compromises and steers a middle course between the Hebrew and the Hellenistic Christians. This omission (as well as the neglect to mention the Galileans, with whom Jesus stands in such entirely opposite relations in the first and third gospels,) was probably a part of the author's plan.

Thus, then, we find that a miraculous birth, with only one human parent, is the deposit of the first and third gospels, the addition they have made to the earlier Christology.

III. Let us next examine the epistles attributed to Peter, James, and Jude, with the Apocalypse — books which indicate the tendency of the Jewish party among the Christians.

In the so-called epistle of James, which is rich in dogmatic peculiarities, and a valuable monument in the history of the development of Christianity, there is no peculiar and characteristic Christology which requires mention here.

In the first epistle of Peter, so called, it is said the spirit of Christ was in the prophets of the Old Testament, who foretold his sufferings and glory ; (*τὸ πνεῦμα Χριστοῦ*, 1 Peter 1 : 11 ; ) Christ was pre-appointed before the foundation of the world ; (*προεγνωσμένος* ) with his precious blood the Christians are redeemed from their foolish course of life, inherited from their fathers, (*ματαίως ἀναστrophῆς πατροπαράδοτου*, 1 : 18, 19,) that is, from the Jewish form of religion. He also bore the sins of Christians in his own body on the cross, and died, the just for the unjust, that he might conduct the Christians to God. (2 : 24, and 3 : 18.)

After his death, he went to the departed spirits who had not believed in the time of Noah. He is now gone to heaven, and is on the right hand of God. Angels, and authorities, and powers are subject to him. (3 : 22.)

The second epistle attributed to Peter, and that to Jude, are without any peculiar Christological significance for the present purpose.

In the Apocalypse, Christ is the "first-born of the dead, and the ruler of the kings of the world." (1 : 5 ; ) he is the "beginning of the creation of God," (*ἡ ἀρχὴ τῆς κτίσεως τοῦ Θεοῦ*, 3 : 14.) He has the same functions as in the epistles mentioned above,— he redeems the Christians by his blood.

Here the new matter added to the previous Christology is this : His spirit had previously existed ; he was pre-appointed

before the foundation of the world, was the beginning of creation, redeems man by his blood, is the first-born of the dead, ruler of the kings of the world, and has preached to the souls of men who lived before the flood.

IV. In the four epistles ascribed to Paul, whose genuineness, we think, has not been questioned, — those to the Romans, Corinthians, and Galatians, we find a Christology unknown to the three gospels and the other writings we have referred to above. As the Pauline Christology becomes more complicated than its predecessors, it is necessary to consider its elements separately; so we will speak first of the nature, and then of the function of Jesus.

In these epistles, as in those gospels, Jesus is the Christ of the Hebrew Scriptures — crucified, and risen from the dead. This is the point of generic agreement between the Christology of these four epistles and those three gospels. But in the epistles, there appear these peculiarities: The Christ had a pre-existence before he appeared in the personal form of Jesus; he was with the Israelites in the wilderness, a spiritual rock that followed the people in their wanderings, and from which they all drank the same spiritual drink — meaning, we take it, the same spiritual drink which the Christians drank in Paul's time, contradictory as it may seem; but the Christ could not change. This pre-existence is taught by the common text in Galatians, 3 : 17 : which says that the covenant of God with Abraham, more than four hundred years before Moses, was made by God, through the mediation of Christ; (*ἐπὶ τοῦ Θεοῦ εἰς Χριστόν*) but as the best copies omit the reference to Christ, this passage cannot be fairly used at the present time, as an authority. However, a single genuine passage, if clear and distinct, is as good as many.

In 2 Cor. 8 : 9, it is said that Christ had been rich, but had impoverished himself (*ἐπτωχίσας*) for mankind. Of course, he could only have been rich in a state of existence before he took the personal form of Jesus.

Thus he was not merely a man and Messiah — having had a pre-existence in the latter capacity, at least — but God is immanent with him in a peculiar sense; for it is said, (2 Cor. 5 : 19,) “God was in Christ reconciling the world to himself.” By the text of the common editions, he is once called “God over all, blessed forever;” (*ὁ ὢν ἐπὶ πάντων Θεὸς εὐλογητός εἰς τοὺς αἰῶνας*, Rom. 9 : 5;) but as the word God is of doubtful

authority, the text ought not to be pressed into the service of any opinion as if it represented the undisputed sense of Paul. However, in passages beyond dispute, he is called God's power, and God's wisdom, (*Θεοῦ δύναμις καὶ Θεοῦ σοφία*, 1 Cor. 1: 24,) and is once called absolutely the Spirit, (*τὸ πνεῦμα*, 2 Cor. 3: 17.)

His resurrection is distinctly declared, but no allusion is made to his miraculous birth, or miraculous deeds.

Such is Paul's opinion of the nature of Christ, but he says more of the office and function of Christ than of his nature. He was the final cause, the scope or object aimed at in the law of Moses. (*τέλος νόμου*, Rom. 10: 4, and *τέλος τοῦ [νόμου] καταργουμένου*, 2 Cor. 3: 13.) The Jews did not understand this, and so there is a veil on their understanding while they read the Old Testament, but it will be removed when they are converted to Christianity.

He is the instrument by which God is to judge the world; all are to appear before his tribunal; he is to rule the living, and the dead. (Rom. 2: 16. 2 Cor. 5: 10.)

Christ intercedes (*ἐντυγχάνει*) for men with God, (Rom. 8: 34;) he is the paschal sacrifice for the Christians, (1 Cor. 5: 7;) men who were not just before and are not now, are to be accounted just before God, on account of their faith in Christ, and by means of the ransom he has paid, (Rom. 5: 22-24; 5: 18, *et seq., et al.*) This ransom is paid for all men, and not merely for the Jews; he is the new Adam, who brings life to such as are dead, (1 Cor. 15: 21-22.) Once, Paul had been ignorant of this fact, and knew Christ after the flesh, as the Saviour of the Jews alone, but now not after the flesh, but the Christ and Saviour of all, (2 Cor. 5: 16.)

He is the proximate and efficient cause of all things, as God is the ultimate cause thereof, (*ὁ δὲ [Χριστοῦ] τὰ πάντα*, 1 Cor. 8: 6,) though elsewhere God is the ultimate, the efficient, and the possessory cause of all things.\*

In these four epistles, following their undisputed text, and neglecting the passages where the text is doubtful, Paul goes no higher in his description of the nature and function of Christ. He is a man, born of a woman; the first-born among

\* *Ἐξ αὐτοῦ, καὶ δι' αὐτοῦ, καὶ εἰς αὐτὸν τὰ πάντα*, Rom 11: 36. These words seem to denote respectively the *ultimate* cause (or ground) of all things; the *proximate* or *efficient* (instrumental) cause thereof; and the *owner* of all things, whose purpose they were to serve.

many brethren ; he had a pre-existence, distinct, and apparently self-conscious. He is the proximate cause of all things. His coming is the fulfilment of the law, which is now repealed, null, and void. He is the Saviour of all men, through a sacrifice on his part, and faith on their part.

The peculiar addition which Paul makes to the Christology of his predecessors is this : A more distinct statement of his personal pre-existence and function as minister of the Abrahamic covenant, and as sustainer of the Israelites in the wilderness ; a generalization of his function to that of a universal Christ and Saviour, and the destruction of the Mosaic law.

V. In some of the other epistles ascribed to Paul, though with a disputed certainty, we find the personality of Christ goes still higher. Passing over the passages in the Epistle to the Ephesians, which are vague in their character or uncertain in their text, we come to the Philippians, and find there more remarkable expressions. Thus it is said that Jesus was in the form of God, though not equal to God, as we understand it, (*ἐν μορφῇ Θεοῦ*, 2 : 6, 9-11.) He descends from this eminence and receives the form of a servant, (*μορφὴν δουλοῦ*), but has since received "the name above every name ;" all beings, subterranean, earthly, and super-celestial, are to do homage to him.

In Colossians, Christ is "an image of God, the invisible," (*εἰκὼν τοῦ Θεοῦ τοῦ ἀοράτου*), "the first-born of all creatures, for in him (*ἐν αὐτῷ*) were made all things in heaven and upon the earth — the seen and the unseen ; all are made by him and for him," (*δι' αὐτοῦ καὶ εἰς αὐτόν*), by him, as instrument, and for him, as possessor. "He is before all, and all things continue to subsist by him." "He is the beginning, that in all respects he might be the first, for in him it has pleased [God] that all the fulness [of the Deity] should dwell," (1 : 15-20.) "All the fulness of the Deity resides corporeally in him," (*Πάντα πλήρωμα τῆς Θεότητος σωματικῶς*, 2 : 9,) and he is "all in all," (3 : 11,) the absolute.

The same Christology appears substantially in the Epistle to the Ephesians, which is, indeed, little more than an expansion of that to the Colossians, only the doctrine is not quite so clearly set forth, and there is some discrepancy in the readings of the manuscripts in important passages.

The other minor epistles ascribed to Paul are not important in respect to their Christology, and so we pass them by. But,



in the important Epistle to the Hebrews, remarkable additions are made to the Christology of the early age. Here, the Christ is "appointed heir of all things;" the agent by whom God made the *aeons*, (*αιῶνας*;) "a reflected image of his [God's] glory and stamp of his substance;" (*ἀπαχάσμα τῆς δόξης καὶ χαρακτὴρ τῆς ὁμοιότητος*;) and sustains all things by the word of his power. He sits "at the right hand of the majesty above." He is the "word of God," (*ῥῆμα Θεοῦ*;) he is the "first-born;" is superior to the angels, and, in the Old Testament, has been called "God's Son;" the angels serve him; the Old Testament is referred to as calling him by the title of the true God, (*ὁ Θεός*;) and his authority is eternal, (1 : 8, 9.) It is Christ who, "in the beginning, established the earth;" the heavens are the work of *his* hands. The universe will perish, but Christ will remain the same forever, and his years will have no end. The angels are to worship him, for they exist only for the sake of mankind, while Christ is the ultimate object and final cause of all creation. Yet, notwithstanding this exaltation of nature, he was made a little lower than the angels, so that he might suffer death for the sake of all mankind. In his human form, he became perfect by temptation and suffering.

Such is his nature; his function is commensurate with it. He is a priest forever; by his own blood has obtained eternal redemption and superseded all sacrifices. He has appeared once to remove sin, and will come again to bring such as wait for him to salvation. He took the form of flesh and blood that he might by death destroy the devil, who had the power of death, (2 : 14,) and deliver mankind, who were subject to fear thereof. He is the "cause of eternal salvation to all that obey him," and in all his achievement is the preserver of mankind, (5 : 9.) He is a priest, not according to a temporary enactment, but in virtue of the power of indissoluble life, (7 : 16.) The old law is set aside, and its priesthood at an end; for there has come a high priest, holy, free from evil in his nature, blameless in his life, thereby separated from sinners, and become higher than the heavens. He is the mediator of an everlasting covenant, in which the law will be that written eternally on the heart of man.

In these epistles, it is plain a much higher dignity is claimed for the nature and function of Christ. All the fulness of God resides in him; he is even called God, *the* God; still, he is man also, wholly a creature, and dependent on God for existence.

VI. There still remain the Johannic writings, so-called, epistles and gospels. The second and third epistles ascribed to John, have no Christological value and require no examination. The first epistle and the fourth gospel represent another addition made to the Christological strata already deposited, not wholly, we fear, in tranquil seas. Here we find the continuation and development of ideas found in the doubtful works attributed to Paul.

But before we speak of the Johannic Christology, we must say a few words by way of preface. The Christians and Jews had, amongst others, this point of ideal agreement: a common reverence for the Messiah, the Christ; but this point of ideal agreement became a point of practical disagreement and quarrel; for the Christians affirmed that Jesus of Nazareth was that Christ, while the Jews declared that he was only a malefactor. The attempt was made by Paul to bring the Jews to attach their reverence for the ideal Christ to the concrete person, Jesus of Nazareth; then discord between the Christians and Jews would end.

Plato had taught, in well-known passages, that God could not come into direct communication with man. Philo, at Alexandria, an older contemporary of Jesus, was of the same opinion. But Philo, though a Platonist in his philosophy, continued also a Jew in the form of his religion, and believed that God did actually come into communication with men; according to his Platonic theology, it must be by mediators, beings between the finite man and the infinite God. At the head of these was the Logos, whom Philo calls a god and god junior, (*θεός* and *θεός δεύτερος*.) He found a preparation for his doctrine of the Logos in the figurative language of the Old Testament, and Apocrypha, in the personified wisdom of God (*Σοφία τοῦ Θεοῦ*) and word of God, (*Λόγος τοῦ Θεοῦ*.) But in the Old Testament and Apocrypha, this Logos, wisdom or word, does not appear detached from God, but still attached to him: we think it is still the same with Philo, the Logos is not completely detached from God and become a distinct personality, though this may be thought doubtful. All this has been abundantly discussed of late years, and requires no farther examination here.

In this manner, he found a point of agreement on the one hand with the Jews, and on the other with the philosophers; so the Jew could accept much of the Platonic philosophy without giving up his form of religion, and his Platonic contemporaries might find Judaism itself dignified into a philosophical scheme.

Thus the Platonists and the Jews had a point in common, namely: the Logos, which belonged to the current philosophy of the time, and which Philo had found in the Old Testament. In this way, a preliminary step was taken to promote a reconciliation between the philosophers and the Jews; between the representatives of science, voluntary reflection, on the one side, and the representatives of inspiration, passive recipients of God, on the other side. It seems the attempt was not wholly unsuccessful; the Philonic doctrine of the Logos had great influence in the development of philosophy.

We have mentioned already the point of agreement which the Christians had with the Jews, and the point of difference. The first controversy of the Christians with others, related to the Messiahship of Jesus. To make out their case, the Christians were forced to alter the features of the expected Messiah a good deal, to make the ideal of prophecy fit the actual of history. This they did by a peculiar manner of interpreting the Old Testament. Specimens of a most remarkable perversion of its language, in order to prove that Jesus of Nazareth was the Hebrew Messiah, appear in abundance in the New Testament. The Jews rejected the Christian doctrine that Jesus was the Messiah, and along with it the Christian mode of interpreting the Messianic prophecies. In eighteen hundred years, little progress has been made in turning the point of difference between them into a point of agreement.

The new Christians had numerous points of general agreement with the monotheistic believers about them, and Paul finds an argument in the inscription on an altar and in a verse from a heathen book. The Christian and the Platonic philosophers agree in this, that there were mediators between man and God. But the author of the Johannic gospel finds an important and special point of agreement with the Alexandrian philosophy in particular. He accepts the doctrine of the Logos; Christians in general might have done so, as indeed they did, with no detriment to their Christianity. But we find a new and vital doctrine common to Christianity and philosophy—CHRIST IS THE LOGOS.

This author has two important doctrines to set forth, along with many others, namely: the generic doctrine of all Christians, that Jesus was the Christ of the Old Testament; (this was addressed to the Jews, and of small consequence to the heathens who had not heard of the "promise" until they were told of its fulfilment; ) and also his peculiar dogma, that Christ

was the Logos. If the Jews rejected the first doctrine, as indeed they did, the heathens might accept the other, which really came to pass in due time. We are not, however, to suppose that the author of this scheme wrought with a distinct consciousness of the work he was doing, and of its relation to the thought of mankind.

In philosophy, as in nature, nothing is done by leaps. In the Hebrew literature, in the Old Testament, and Apocrypha, there had been a gradual, but unintentional preparation for the Philonic idea of the Logos, and a similar preparation is visible in the heathen literature. In the successive elevations of the person of Jesus, which we have already seen in the three earlier gospels and the epistles, there was a preparation for the still farther elevation of his person. It would have been abrupt, sudden, and unnatural, if Jesus had been called a God in the Gospel according to the Hebrews; it is not surprising at all in the Epistle to the Hebrews. There had been a gradual sloping up, from Jesus considered as the son of Joseph and Mary, to Jesus considered as the Maker of the worlds, from the man to the God. If extended over many years, the ascent is not violent — it is not *per saltum*, but *gradatim*, that the difficulty is overcome. *Vires acquirit eundo* is true of more than fame. The first life of Ignatius Loyola, published by Ribadaneira, his friend, fifteen years after Loyola's death, records no miracle; the enlarged edition, some twenty years later, contains no miracle. But at his canonization, more than two hundred miracles were claimed for him, and the depositions of six hundred and seventy-five witnesses were used in the process.

The Christology of the fourth gospel is quite remarkable. The author states his design, at the end of what has been thought the genuine portion of the book: "These things are written that you may believe that Jesus is the Christ — the Son of God; and that believing you might have life in his name," (20: 31.)

He begins with the Logos: "In the beginning was the Logos, and the Logos was with God, and the Logos was God." These are some of the powers ascribed to the Logos: (we will still use the word in the neuter gender, and speak thereof as IT:) All things were made (*ἐγένετο*) by it; life was in it, and the life was the light of men; it enlightens every man; it was in the world, but not known thereby; to such as received it, it gave power to become children of a God; (*τέκνα Θεοῦ*)

such persons had their origin from a God, (*ἐκ Θεοῦ*,) not from man, (*ἐκ σαρκὸς ἀνθρώπου*.) It alone had seen God; it only brought him to the knowledge (*ἐξηγήσατο*) of men. It was in the bosom of the Father.\* At length, the Logos was made flesh, (*σὰρξ ἐγένετο*,) and dwelt amongst men, in the person of Jesus of Nazareth.

Nothing is said about the physical birth of Jesus. The author puts his divine character so high, that a supernatural birth would add nothing to his dignity. We pass over the historical and general dogmatical peculiarities of the fourth gospel, to speak of its Christological peculiarities.

Jesus is not merely the first-born of all created things, (*Πρωτότοκος πάσης κτίσεως*,) but the "only-begotten Son," (*τὸν μονογενῆ*,) he "came down from heaven," and "is in heaven," (*ὁ ὢν ἐν τῷ οὐρανῷ*;) whose believes in him will not perish but have everlasting life. (8: 18.)

The author makes a distinction between the Logos and the spirit, (*πνεῦμα*.) Jesus has the spirit, absolutely, not in limited quantities; (*ἐκ μέτρου*.) "The Father has given all things to Christ," (8: 34-35.)

The Christ is identical with the Father, (10: 30, *et al.*;) it is not merely an identity of function, but of nature. There is a perfect mutuality between the two, (14: 9-10, *et al.*;) however, there is a difference between the two—with the Father, all is primitive; with the Son, all is derivative. The Son can do nothing of himself, (*ἀπ' ἑαυτοῦ*, 5: 19, *et al.*) The Son is also inferior to the Father, (14: 28, *et al.*) Yet the Son has self-continuing life, (*ζῶν ἐν ἑαυτῷ*, 5: 26.) He is the bread that came down from heaven; he alone has seen the Father.

Men are not to be saved by piety and goodness, as in the other gospels, (Matth. 22: 34-40, *et passim*,) but by belief in him, (8: 36; 6: 40, *et passim*;) they are even to pray in his name, (*ἐν τῷ ὀνόματι μου*, 14: 13, *et al.*;) he will send them the Helper, (*παράκλητος*=τὸ πνεῦμα τῆς ἀληθείας; *πνεῦμα ἄγιον*,) who will remind them of all Christ's teachings, and teach them all things.

Christ is the Son of man, but he is also the Son of God, (*ὁ υἱὸς τοῦ Θεοῦ*, *passim*,) and maintains the most intimate relation with God. He intercedes with the Father for his disciples, and will have the glory which he had before the world was made.

\* Clement, of Alex., defines the *Κόλπον* τὸν Θεοῦ: τὸ δ' ἑορταστὸν καὶ ὑψίστην. Βαθύν αὐτὸν καλέχμασιν ἐντεῦθεν τίνες, ὡς ἂν περιεληφὸτα καὶ ὑποκαταμένον τὰ πάντα.

His disciples are wholly dependent on him, without him they can do nothing; he is the vine and they but branches. If they abide in him, they may ask what they will, and it will be given them, (15: 4, *et seq.*) The Helper is to proceed from God, but to communicate the things of Christ, (15: 26; 16: 15.) He desires that there may be the same mutuality and oneness among his disciples as between himself and the Father, (17: 21, *et seq. et al.*) and that they may be in the same place with him, (24, *et al.*)

The conditions of discipleship are these: a *belief in him*, which seems to mean a belief that he is Christ and Logos; and *love of each other*. The consequence of such discipleship is eternal life, (ζωὴν αἰώνιον, 3: 15, *et passim*;) the immanence of the spirit of Christ and of God, (14: 17, 23;) his disciples shall be where he is, (14: 3.) It is not promised that they shall be *what* he is or *as* he is, only *where* he is. It does not appear that they are to bear the same relation to God which Christ bears to him; they are not to be sons of God in the same sense as Christ.

The same Christology appears substantially in the first Johannic epistle. However, it is not so fully expressed in the epistle as in the gospel, and there are some minor differences of opinion, only one of which is important for the present purpose, namely, that Christ is a sin-offering, (ἱλασμός.) He is even a sin-offering for all mankind, and not for the Christians alone, (2: 2.) The doctrine of the atoning death of Christ, we think, does not appear at all in the gospel, but is obvious in the epistle.

The passage which we mentioned before, (Matth. 11: 27 and Luke 10: 22,) seems to belong to the Johannic writings and not to the synoptical gospels; but we have no conjecture to offer as to its origin.

We thus see the gradual elevation of the personality of Christ, from the son of Joseph and Mary to the Son of God, with a distinct pre-existence before he "was made flesh," a God who was in the beginning, who made all things, is one with the Father, but still dependent on him, and inferior to him. The Christ in the fourth gospel strongly resembles the Christ in the Arian hypothesis of the trinity; he is, however, widely different from the Christ of the Athanasian hypothesis of the trinity. The subsequent steps were easily taken, and then Christ was represented as THE GOD, (ὁ Θεός,) equal with the Father in all things.

## SHORT REVIEW AND NOTICE.

*Biblica Hebraica ad optimas Editiones imprimis Everardi van Der Hooght accurate recensita et expressa. Curavit Argumentique Notationem et Indices nec non Clavim masorethicam addidit. CAR. GODOFR. GUILLIELMUS THEILE, PROF. LIPSIENTSIS. Editio stereotypa. Lips. 1849. 8vo. pp. xx. and 1236.*

THIS new edition of the Hebrew Bible is superior to any of its predecessors, as we think, in accuracy. Numerous errors, found to exist in former editions, have been corrected in this; and, considering the nature of the work, it is probably one of the most perfect books that ever passed through the press. We have not, as yet, detected the smallest error in the location of *points* and *accents*. It is printed on good, white, and strong paper, and sold in paper covers for about one dollar and sixty-two cents a copy. It is a favorable omen for biblical literature in America, that the Hebrew Bible has been stereotyped in this country, and copies of it can now be furnished as cheap, even, as at Leipsic. Any errors in the American plates can easily be corrected by the help of this new reprint at Leipsic.

## CORRECTION.

In our last number, (p. 424,) we mentioned, as an error of Mr. Hildreth, that he said, "Locke maintained that men's souls, 'mortal by generation, are made immortal by Christ's purchase.'" Nemesis is never asleep! It was the critic, the editor, and not the author who was mistaken; for the opinion and the language may be found in Locke's "Reasonableness of Christianity." *Damus petimusque vicissim veniam.*

## THE EDITOR'S FAREWELL TO THE READERS.

THE Editor wishes to announce that this is the last number of the *Massachusetts Quarterly Review*; and, in bidding his readers farewell, he would thank the Public for the favor shown to this Journal, and express the hope that his own labors have not been in vain. The Journal, however, has never become what its projectors designed that it should be. The present Editor thought it necessary that certain important political questions should be dis-

cussed here, and, finding no other hand ready for that work, has turned his own to it, and thus has left many theological, philosophical, and literary themes untouched, on which he wished to speak. He has often postponed his own articles for those of others, hoping thereby to give greater variety and value to the Journal.

In thus taking leave of the public, he must express his gratitude to those, on both sides of the water, who have favored him with their contributions, some of them, he thinks, of permanent value. He has often regretted that the smallness of the Journal rendered it impossible to insert all the important papers placed in his hands. He wishes also to thank those who, at the beginning, favored him with promises of aid. If they did no more, they at least gave him their sympathy, and encouraged his own hopes, which is a service not to be despised.

In conclusion, he will only add that he hopes some new journal will presently be started here, in the heart of New England, in a more popular form, which will promote the great ideas of our times, by giving them an expression in literature, and so help them to a permanent organization in the life of mankind.

---

#### NOTE.

Complete sets and odd numbers of the Review may be had, at the usual price, of Messrs. Crosby & Nichols, 109 Washington Street, Boston.

---

#### LIST OF NEW PUBLICATIONS RECEIVED.

Hilgenfeld, Die clementinischen Recognitionen und Homilien, nach ihren Ursprung und Inhalt dargestellt. Jena, 1848. 8vo. pp. xii. and 340.

Cesarii Heisterbachensis Monachi Dialogus Miraculorum. Textum ad 4 Codd. MSS. Editionis principis Fidem accurati recognovit Jos. Strange. Coloniae, etc. 1850. 8vo. pp. 406.

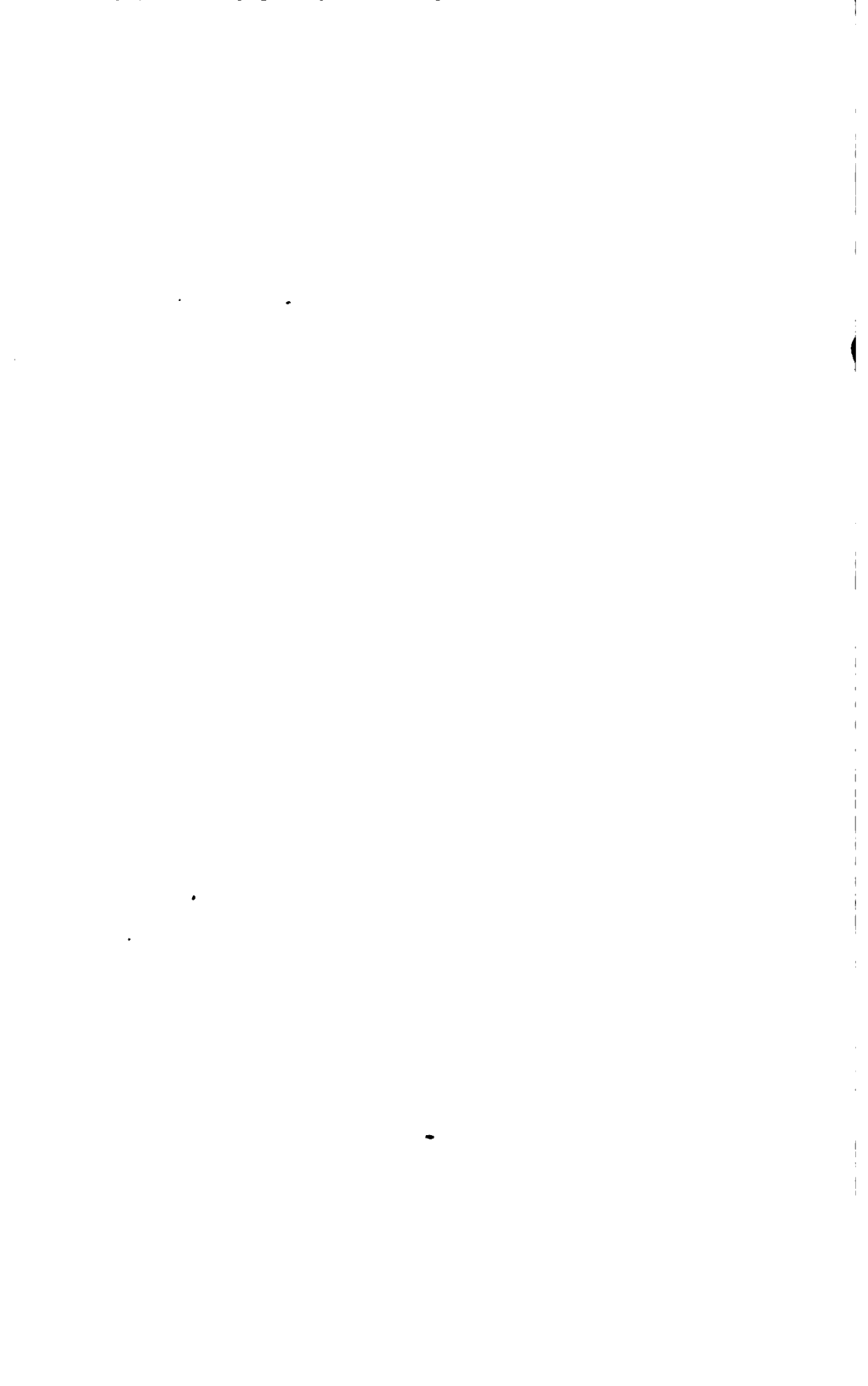
Bibliotheca mystica et ascetica continens præcipue Auctorum Medii Ævi Opuscula. Coloniae, etc. 1849-1850. 16mo. Vol. I.—IV. Vol. IV. continens Bellarmini de Ascensione Mentis in Deum, &c. Lib. pp. xxiv. and 390.

De Wette, Eine Idee über das Studium der Theologie, &c. Leip. 1850. 8vo. pp. 32.

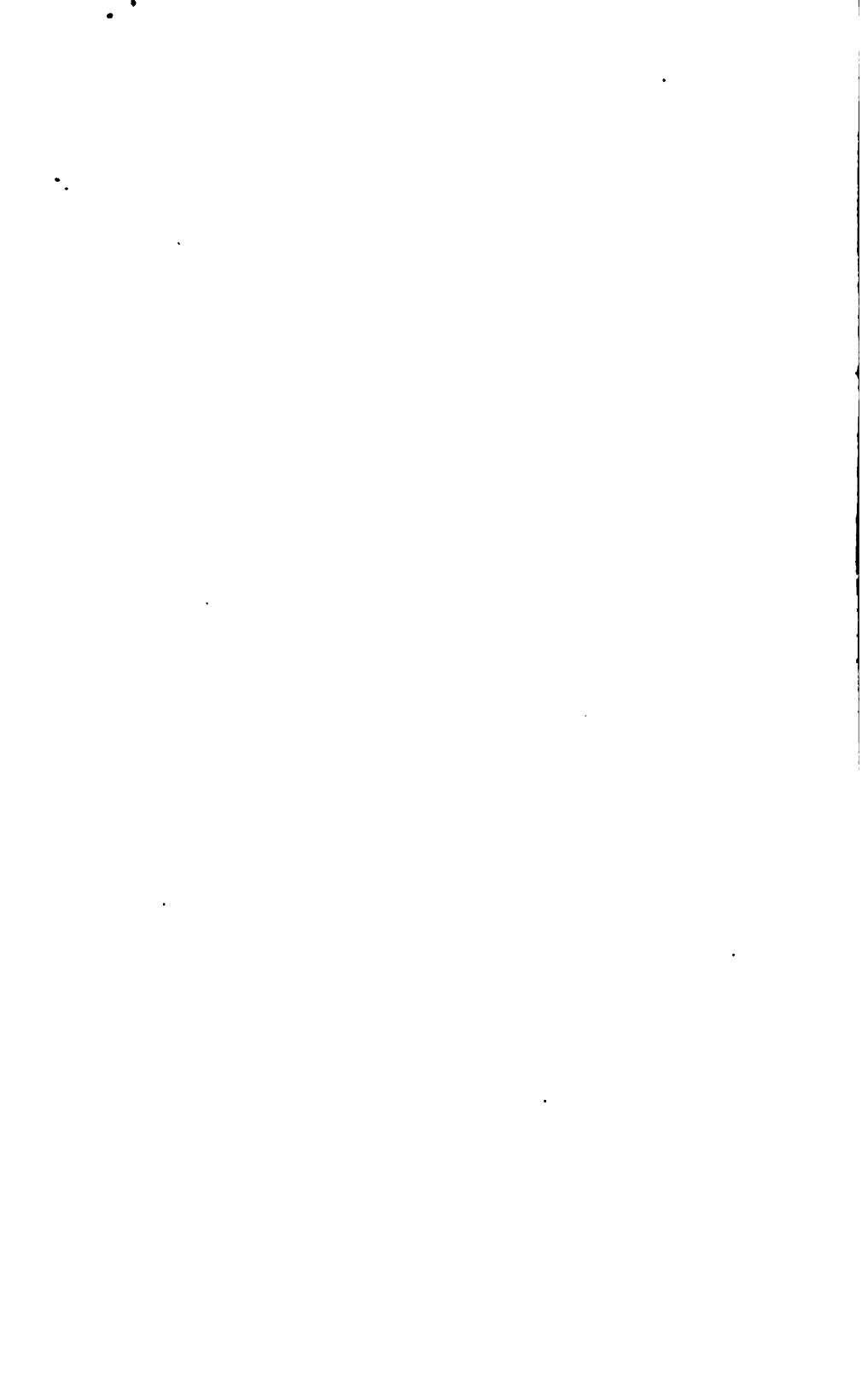
Lücke, Dr. W. M. L. de Wette, zur freundschaftlichen Erinnerung. Hamburg. 1850. 8vo. pp. iv. and 39.

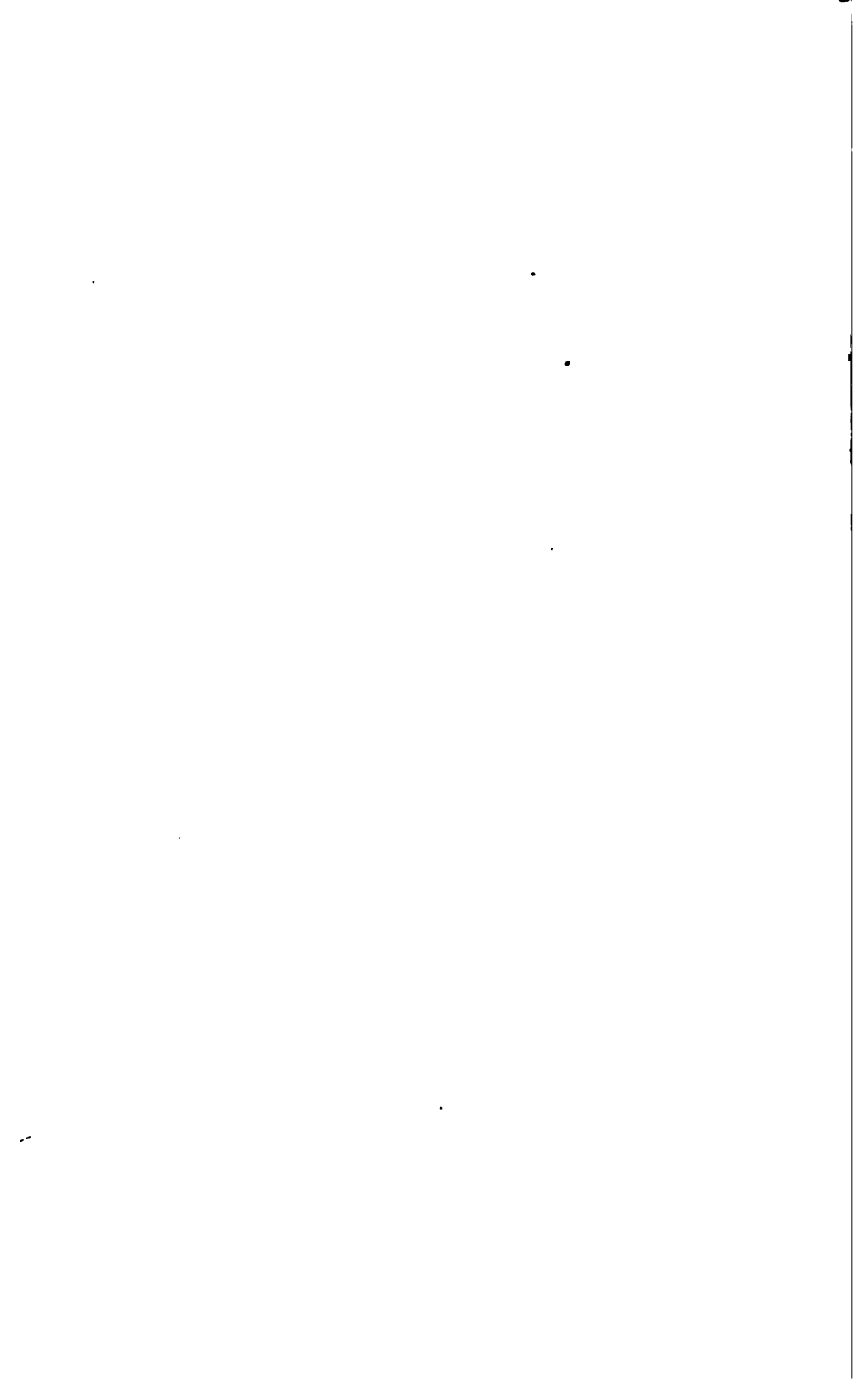


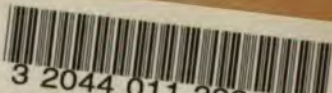
- Zur Erinnerung, von Professor de Wette. Basil. 1849. 8vo. pp. 38.
- Schenkel, W. M. L. de Wette und die Bedeutung seiner Theologie für unsere Zeit. Schafhausen. 1849. 8vo. pp. 111.
- Hagenbach Wilhelm Martin Lebrecht de Wette, eine akademische Gedächtnisrede mit Anmerkungen und Beilagen. Leip. 1850. 8vo. pp. vi. and 123.
- Svenska Folk Sagor och Äfventyr — — — Samlade och Utgifna af G. O. Hylten-Gavallius och Geo. Stephens. Stockholm. Delen I. 8vo. pp. viii. and 501.
- Svenska Folkböcker.—Sagor, Legender och Äfventyr efter äldre Upplagor och andra Källor utgifna, jemte Öfversigt af Svensk Folkkläsning från äldre till närvarande Tid, af P. O. Bäckström. Stockholm. Bandet I. II. pp. iv. and 296 and 274; viii. and 360.
- Svenska Folkets Sagor — Häfder, eller Faderneslandets Historia — i Säger, Folksånger och andra Minnesmärken, Till Läsning för Folket af A. G. Afzelius. Stockholm. 8vo. 5 vols. 8vo. [This work contains the Folk sånger till the year 1523.]
- Svenska Folk-Visor utgifna af G. G. Geijer och A. G. Afzelius. Stockholm. 3 vols. 8vo.
- Karte von Syrien und Palästina zu Ritters Erd-Kunde, Band. XIV. und folg. von Carl Zimmermann, Heft I. Palästina und die Sinai Halbinsel. Berlin. 1850. [15 elegant maps, large atlas, folio.]
- Latter-Day Pamphlets, edited by Thomas Carlyle, &c. No. VI. Parliaments. 12mo. pp. 50. No. VII. Hudson's Statue. 12mo. pp. 48.
- The United States Lawyers' Directory, and Official Bulletin: to which is added the Manual of the American Legal Association. New York. 1850. pp. viii. 84, 144, and 32.
- Thirtieth Annual Report of the Mercantile Library Association of Boston. Boston. 1850. 8vo. pp. 16.
- Remarks before the Association for Aged and Indigent Females, at the Opening of their Home, &c. By Henry B. Rogers, &c. Boston. 1850. 8vo. pp. 14.
- A Plea for the Poor: a Sermon preached in the Old South Church, before the Howard Benevolent Society, Dec. 25, 1849, being its 17th anniversary. By Rev. Levi Tucker, D. D., &c. Boston. 1850. 8vo. pp. 23.
- Old Wine in Old Bottles: a Sermon originally preached at the Church of the Advent, Boston, &c., &c. By Rev. Henry N. Hudson, &c. Boston. 1850. 8vo. pp. 32.
- Washington, and the Principles of the Revolution. An Oration delivered before the Municipal Authorities of the City of Boston, at the Celebration of the 74th Anniversary of the Declaration of American Independence, July 4, 1850. By Edwin P. Whipple. Boston. 1850. 8vo. pp. 30.
- The Progress of the Intellect, as exemplified in the Religious Development of the Greeks and Hebrews. By Robert William Mackay; in two volumes. London. 1850. 8vo. Vol. I. pp. xvi. and 488; Vol. II. pp. xii. and 520.
- Historical Analysis of Christian Civilization. By Professor De Vericour, Queen's College. Cork, and London. 1850. 8vo. pp. xvi. and 502.
- Social Aspects. By John Stores Smith, &c. London. 1850. 8vo. pp. iv. and 258.
- A Commentary on the Book of Daniel. By Moses Stuart. Boston. 1850. 8vo. pp. viii. and 496.
- The History of the Decline and Fall of the Roman Empire. By Edward Gibbon, with Notes by Rev. H. H. Milman, &c. In six volumes. Vol. VI. 12mo. pp. xvi. and 623.
- Hints towards Reforms in Lectures, Addresses, and other Writings. By Horace Greeley, &c. 1850. 12mo. pp. 400.
- In Memoriam. By Alfred Tennyson. Boston. 1850. 16mo. pp. 270.
- Historical and Critical Introduction to the Old Testament. By W. M. L. de Wette. Translated and enlarged by Theodore Parker. 2d edition. Boston. 1850. 2 vols. 8vo.











3 2044 011 393 410

THE BORROWER WILL BE CHARGED  
AN OVERDUE FEE IF THIS BOOK IS  
NOT RETURNED TO THE LIBRARY ON  
OR BEFORE THE LAST DATE STAMPED  
BELOW. NON-RECEIPT OF OVERDUE  
NOTICES DOES NOT EXEMPT THE  
BORROWER FROM OVERDUE FEES.

~~CANCELLED~~  
~~WIDENER~~  
~~NOV 05 2003~~  
~~CHANGE~~

~~CANCELLED~~

WIDENER

BOOK DUE

~~WIDENER~~  
~~JUL 25 1990~~

~~NOV 05 2003~~

~~CANCELLED~~  
~~WIDENER~~  
~~NOV 05 2003~~  
~~NOV 13 1990~~

~~WIDENER~~

~~NOV 05 2003~~

~~CANCELLED~~

~~CANCELLED~~

